

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-CIV-80119-MARRA/JOHNSON

JANE DOE NO. 2,

Plaintiff,

-vs-

VOLUME II OF II

JEFFREY EPSTEIN,

Defendant.

Related cases:

08-80232, 08-08380, 08-80381, 08-80994
08-80993, 08-80811, 08-80893, 09-80469
09-80591, 09-80656, 09-80802, 09-81092

DEPOSITION OF
DETECTIVE JOSEPH RECAREY

Friday, March 19, 2010

9:37 - 5:12 p.m.

250 Australian Avenue South
Suite 1500
West Palm Beach, Florida 33401

Reported By:

Cynthia Hopkins, RPR, FPR
Notary Public, State of Florida
Prose Court Reporting
Job No.: 1509

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA
CASE No.502008CA037319XXXXMB AB

B.B.

Plaintiff,

-vs-

VOLUME II OF II

JEFFREY EPSTEIN
AND SARAH KELLEN,

Defendants.

DEPOSITION OF
DETECTIVE JOSEPH RECAREY

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250 Australian Avenue South
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Prose Court Reporting
Job No.: 1509

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 10-80309

JANE DOE NO. 103,

Plaintiff,

-vs-

VOLUME- II OF II

JEFFREY EPSTEIN,

Defendant.

DEPOSITION OF
DETECTIVE JOSEPH RECAREY

Friday, March 19, 2010

9:37 - 5:12 p.m.

250 Australian Avenue South
Suite 1500
West Palm Beach, Florida 33401

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Notary Public, State of Florida
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Also Present: Jeffrey Epstein

I N D E X

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BY MR. KUVIN:

Q. All right. We were going over the property receipts for the search warrant when we left off. And specifically we were at Page 2. We were looking at some of the things that you took in. Each item that you took during the search warrant was numbered; is that correct?

A. Correct.

MR. PIKE: Form.

BY MR. KUVIN:

Q. And the item number appears where?

MR. PIKE: Form.

THE WITNESS: Under item number.

BY MR. KUVIN:

Q. All right. And this is a standard form used by the police department?

A. That's correct.

MR. PIKE: Form.

BY MR. KUVIN:

Q. All right. If we look at Item Number 24, what was that?

MR. PIKE: Form.

THE WITNESS: It was a twin torpedo in a brown box.

1 BY MR. KUVIN:

2 Q. What is that?

3 MR. PIKE: Form.

4 THE WITNESS: It is a synthetic penis,
5 double, double sided.

6 BY MR. KUVIN:

7 Q. Okay. Double sided meaning it has, what,
8 two heads on it?

9 A. Yes.

10 MR. PIKE: Form.

11 BY MR. KUVIN:

12 Q. How big is this?

13 A. About 12 inches, 10, 12 inches.

14 MR. PIKE: Objection to the form of that
15 question.

16 BY MR. KUVIN:

17 Q. Do you know where it was taken from?

18 MR. PIKE: Form.

19 THE WITNESS: It was in one of the
20 bedrooms.

21 BY MR. KUVIN:

22 Q. Do you know if any DNA analysis was done
23 on that?

24 MR. PIKE: Form.

25 THE WITNESS: Not that I am aware of.

1 (Mr. Epstein returned the deposition
2 room.)

3 BY MR. KUVIN:

4 Q. All right. Let's take a look at the next
5 page. Item 27, what was that?

6 A. It was a high school transcript --

7 MR. PIKE: Form.

8 THE WITNESS: -- that was located in the
9 master bedroom.

10 BY MR. KUVIN:

11 Q. Appears to be something blacked out. What
12 is blacked out?

13 A. The name of Jane Doe No. 103.

14 MR. PIKE: Form.

15 BY MR. KUVIN:

16 Q. Okay. Did you actually see this?

17 A. Yes, I did.

18 Q. And can you describe for me what it was?

19 MR. PIKE: Form.

20 THE WITNESS: It was her high school
21 transcript from Royal Palm Beach High School.

22 BY MR. KUVIN:

23 Q. Now, it says "VALUE ncv." What does that
24 mean?

25 MR. PIKE: Form.

1 THE WITNESS: That was written by Greg
2 Parkinson, our crime scene manager, who was
3 filling the form as to, when we identified the
4 object we wanted to take; you would put it on
5 the property receipt.

6 BY MR. KUVIN:

7 Q. Okay. With respect to this particular
8 transcript, was this taken by the FBI when they took
9 all the evidence?

10 A. Yes.

11 MR. PIKE: Form.

12 BY MR. KUVIN:

13 Q. Did you ever determine why her high school
14 transcript was found in Mr. Epstein's home?

15 MR. PIKE: Form.

16 THE WITNESS: During my interview with
17 her, she claimed that Mr. Epstein had said that
18 he was going to help her get into a good
19 college and when she graduated to give him a
20 copy of the transcript to assist her in getting
21 into a college.

22 BY MR. KUVIN:

23 Q. Did the high school transcript show her
24 date of birth?

25 MR. PIKE: Form.

1 THE WITNESS: I believe so.

2 MR. PIKE: Move to strike.

3 BY MR. KUVIN:

4 Q. Where in the house was this transcript
5 found?

6 MR. PIKE: Form.

7 THE WITNESS: In the desk, the desk drawer
8 of the -- there was a desk in the master
9 bedroom.

10 BY MR. KUVIN:

11 Q. Okay. So, in the master bedroom?

12 MR. PIKE: Form.

13 THE WITNESS: Yes, sir.

14 BY MR. KUVIN:

15 Q. Was there an office downstairs as well?

16 A. Yes.

17 Q. It was not found in the office?

18 MR. PIKE: Form.

19 THE WITNESS: No.

20 BY MR. KUVIN:

21 Q. The next thing, Item 28, what was that?

22 A. That was a bottle of Joy Jelly.

23 Q. Did you determine what that is?

24 MR. PIKE: Form.

25 THE WITNESS: It's a lubricant.

1 MR. KUVIN: Sexual lubricant?

2 MR. PIKE: Form.

3 THE WITNESS: That's correct.

4 BY MR. KUVIN:

5 Q. Where was that found?

6 A. In the credenza in the master bedroom.

7 MR. PIKE: Form.

8 BY MR. KUVIN:

9 Q. Item 29 appears to be a bunch of
10 videotapes?

11 A. Yes.

12 Q. There is one there called "I Love Lesbians
13 Four." Do you see that?

14 A. Yes.

15 Q. Where was that found?

16 MR. PIKE: Form.

17 THE WITNESS: The master bedroom.

18 BY MR. KUVIN:

19 Q. Did you find massage tables during the
20 search of the home?

21 MR. PIKE: Form.

22 THE WITNESS: Yes, we did. We found a
23 couple of massage tables.

24 BY MR. KUVIN:

25 Q. Where?

1 MR. PIKE: Form.

2 THE WITNESS: One was in the master
3 bedroom area. There was another one found in
4 another bedroom area. There were different
5 colors. There was like a green one, a white
6 one, a peach one but --

7 BY MR. KUVIN:

8 Q. Okay. Did you, yourself, personally see
9 the massage tables in the home when you were there
10 for the warrant?

11 MR. PIKE: Form.

12 THE WITNESS: That is correct.

13 BY MR. KUVIN:

14 Q. It appears that Item 34 was a number of
15 CD's?

16 A. Correct.

17 Q. Did you ever determine what was on them?

18 A. Everything was viewed, some of the CD's were
19 empty. But at the time we didn't know, we just had to
20 take it and view it.

21 Q. Items 34 through 40 on the list appears to
22 be a bunch of different medias such as ZIP CD's and
23 eight millimeter video, flash cards, ZIP CD's and
24 CD's. Did you view all those materials?

25 A. That is correct.

1 MR. PIKE: Form.

2 BY MR. KUVIN:

3 Q. Was there anything on these materials that
4 are listed on here, 34 through 40, that showed any
5 girls that you determined to be underage?

6 MR. PIKE: Form.

7 THE WITNESS: Some of the items that we
8 took from the guesthouse area were determined
9 to be Janusz's, the houseman, live-in houseman,
10 items which was returned to him once we
11 determined that it was his.

12 BY MR. KUVIN:

13 Q. Okay. Anything else that you found on
14 there that you felt was of value for the prosecution
15 of Mr. Epstein?

16 MR. PIKE: Form.

17 BY MR. KUVIN:

18 Q. That you can recall.

19 MR. PIKE: Same.

20 THE WITNESS: From the guesthouse?

21 BY MR. KUVIN:

22 Q. Well, let me ask it this way, a little bit
23 broader: Based on the information that you
24 confiscated from the home during the warrant, search
25 warrant, did you find any computerized information

1 in any format that you felt was useful evidence for
2 Mr. Epstein's prosecution that was currently being
3 investigated?

4 MR. PIKE: Form.

5 THE WITNESS: There was a CPU that was in
6 an office like the assistant's office.

7 MR. KUVIN: Okay.

8 THE WITNESS: That was not connected. It
9 was an older CPU which was taken to the
10 Sheriff's Office for -- to be analyzed.

11 MR. KUVIN: Okay.

12 THE WITNESS: They were able to retrieve
13 some images off that computer from that covert
14 camera in the living room, in that office
15 living room area.

16 BY MR. KUVIN:

17 Q. And what did those images show?

18 MR. PIKE: Form.

19 THE WITNESS: It showed Mr. Epstein
20 sitting at his desk. It was basically motion
21 activated. When there was motion, it would
22 start to record. So, there was, there were
23 images of Epstein at his desk. There was
24 images of his assistant with Mr. Epstein
25 sitting at the desk. There were images of what

1 I believe to be Haley Robson also shown as
2 well.

3 Again, the lighting was poor so a, I
4 couldn't positively say 100 percent, okay,
5 that's so-and-so. I could say that was
6 Mr. Epstein because I have seen Mr. Epstein. I
7 know what he looks like. You know, I can say
8 the female did appear to be Haley Robson; one
9 of the assistants appeared to be Sarah Kellen.
10 You know, that kind of thing.

11 BY MR. KUVIN:

12 Q. All right. Did you see any other girls in
13 that video that was on the CPU?

14 MR. PIKE: Form.

15 THE WITNESS: There was someone else but I
16 just can't recall who it was.

17 BY MR. KUVIN:

18 Q. Where is that CPU now if you know?

19 A. With the FBI.

20 Q. Was there any other digital information
21 that was seized that you were able to see that you
22 felt was helpful in any way to the investigation?

23 MR. PIKE: Form.

24 THE WITNESS: Not off the computer.

25

1 BY MR. KUVIN:

2 Q. What about on any of the CD's or
3 flashcards that were taken?

4 MR. PIKE: Form.

5 THE WITNESS: There was a video. It
6 appears to be, it appears to be in the private
7 island of Mr. Epstein when you see a helicopter
8 coming in, and there was some females there
9 dancing.

10 BY MR. KUVIN:

11 Q. Was this on a computer format like a CD or
12 a flash drive or --

13 A. I believe it was an --

14 Q. -- an eight millimeter?

15 A. I might have been an --

16 MR. PIKE: Form.

17 THE WITNESS: Eight millimeter.

18 BY MR. KUVIN:

19 Q. Okay. Any other media information that
20 you can recall after having reviewed all of the
21 things that you confiscated from the home that you
22 found was helpful in the investigation?

23 MR. PIKE: Form.

24 THE WITNESS: Not that I can recall.

25

1 BY MR. KUVIN:

2 Q. Now, it appears that you confiscated as
3 part of the search warrant a number of CPU's and
4 their power cords; is that correct?

5 A. Yes.

6 MR. PIKE: Form. What page are you on?

7 MR. KUVIN: It looks like 43 and 44.

8 Items 43 and 44 are the first power cords and
9 CPU. Items 54 and 55 are the second power cord
10 and CPU.

11 BY MR. KUVIN:

12 Q. Do you recall how many CPU's you took into
13 custody?

14 A. We took a couple but obviously one of them I
15 was positive that it belonged to Janusz because it had
16 all his personal stuff, his personal photographs of he
17 and his wife. So those were returned to him.

18 Q.. Okay.

19 MR. PIKE: Form to that question.

20 BY MR. KUVIN:

21 Q. You mentioned at the beginning when you
22 executed the search warrant that you felt in your
23 opinion the house had been sanitized because you
24 noticed things that appeared to be missing.

25 MR. PIKE: Form.

1 BY MR. KUVIN:

2 Q. I want to come back to that for a minute.
3 How many CPU's did it appear to you were missing?

4 MR. PIKE: Form and speculation.

5 THE WITNESS: There was one missing from
6 the desk area in the living room with the power
7 cords -- all the cords were there. The CPU was
8 gone.

9 MR. KUVIN: Okay.

10 THE WITNESS: There was one from the pool
11 house where the cords were there, the monitor
12 was there, the keyboard, the mouse. The CPU
13 was gone. I would say two.

14 BY MR. KUVIN:

15 Q. Okay. Did you ever come to learn during
16 the investigation where those CPU units were?

17 MR. PIKE: Form.

18 THE WITNESS: I believe I was told that
19 those CPU's were actually sitting in an
20 attorney's safe.

21 BY MR. KUVIN:

22 Q. Okay. Did you come to learn that they,
23 that Guy Fronstin had actually taken possession of
24 those? Does that refresh your recollection at all,
25 or was it another attorney?

1 MR. PIKE: Form.

2 THE WITNESS: I was told it was Roy
3 Black's office that had them.

4 BY MR. KUVIN:

5 Q. Gotcha. All right. Let's keep going
6 here. Item 58 was another massage table that was
7 taken as evidence?

8 A. Correct.

9 MR. PIKE: Form.

10 BY MR. KUVIN:

11 Q. You saw that massage table?

12 A. Yes, sir.

13 Q. Okay. Let's look at the next page, six of
14 six. It says a green photograph with a naked girl.
15 Do you recall where that was taken from?

16 A. That was taken out of the, I believe, master
17 bedroom.

18 MR. PIKE: Form.

19 BY MR. KUVIN:

20 Q. Could you tell by looking at the
21 photograph whether it was an underage girl?

22 MR. PIKE: Form.

23 BY MR. KUVIN:

24 Q. I mean, was it a young girl, a mature
25 girl, old?

1 A. No, it was a young girl.

2 MR. PIKE: Same objection.

3 THE WITNESS: Very young girl.

4 BY MR. KUVIN:

5 Q. Could you tell the age from the photo?

6 MR. PIKE: Form.

7 THE WITNESS: Younger than ten.

8 BY MR. KUVIN:

9 Q. Could you find any photographs of girls
10 that were victims during the investigation? Did you
11 find any photographs of girls that were victims
12 during the investigation?

13 MR. PIKE: Form.

14 THE WITNESS: There were photographs taken
15 during the search warrant, topless females that
16 were taken. But, no, I did not locate one of
17 the victims in the photos.

18 MR. KUVIN: Okay. If we look at what
19 we'll mark as Exhibit 5, appears to be a
20 supplement of the chain of custody log, two
21 pages. Make sure I have got it. It's three
22 pages actually.

23 (Plaintiff's Exhibit No. 5 was marked for
24 identification.)

25

1 BY MR. KUVIN:

2 Q. We have got what appears to be a four-page
3 document which happens to be called a chain of
4 custody. I just have a couple quick questions about
5 this.

6 If you would look at the last entry in the
7 chain of custody, I just wanted to confirm where all
8 the evidence went according to the documentation.

9 A. Everything went TOT, to the FBI.

10 Q. I am sorry, what were the initials?

11 A. TOT.

12 Q. What does that mean?

13 A. Given to the FBI.

14 Q. Okay. So the chain of custody which we
15 have marked as Exhibit 5 shows that all the evidence
16 you had in this case was given over to the FBI; is
17 that correct?

18 MR. PIKE: Form.

19 THE WITNESS: The items that were returned
20 to Janusz were returned to Janusz (sic). The
21 items that were not returned were given to the
22 FBI.

23 BY MR. KUVIN:

24 Q. Okay. Great. All right. Ultimately what
25 happened with respect to the investigation, and I

1 touched on this briefly in the beginning, but what
2 happened with the investigation once you filed the
3 probable cause affidavit and got the warrant? At
4 what point did you turn it over to the State
5 Attorney's Office?

6 A. Once I filed the arrest warrant for
7 Mr. Epstein, there were actually three warrant requests
8 to be honest with you. There was a warrant request for
9 Jeffrey Epstein, I want to say Sarah, Sarah Kellen, and
10 Haley Robson.

11 Q. Okay. What happened with those arrest
12 warrants for all three of them?

13 MR. PIKE: Form.

14 THE WITNESS: Once they were turned over
15 to the State Attorney's office, I was notified
16 several days later that they were going to be
17 requesting a grand jury to listen to the case.

18 BY MR. KUVIN:

19 Q. Okay. And did a grand jury hear the case
20 as far as you know?

21 A. Eventually they did.

22 Q. And do you know what occurred after the
23 grand jury heard the case?

24 MR. PIKE: Form.

25 THE WITNESS: It was true bill.

1 BY MR. KUVIN:

2 Q. Against?

3 A. Mr. Epstein.

4 Q. Just for people that may not know what a
5 true bill is, can you explain briefly what that
6 means?

7 A. Grand jury found sufficient evidence to charge
8 Mr. Epstein.

9 Q. What was he charged with?

10 MR. PIKE: Form.

11 THE WITNESS: I think it was, it was a
12 procurement for prosecution.

13 BY MR. KUVIN:

14 Q. Have to do with minors?

15 A. Yes.

16 MR. PIKE: Form.

17 BY MR. KUVIN:

18 Q. All right. After the execution of the
19 search warrant, your investigation continued; is
20 that correct?

21 A. Correct.

22 Q. And during the investigation, did you have
23 occasion to speak with or meet with a gentleman by
24 the name of Juan Alessi?

25 A. Juan Alessi, yes.

1 Q. Who was that?

2 A. He was the former houseman of Mr. Epstein.

3 MR. PIKE: Form.

4 BY MR. KUVIN:

5 Q. Did he give you information that you felt
6 was helpful in the prosecution of Mr. Epstein?

7 MR. PIKE: Form.

8 THE WITNESS: He described, he described
9 washing off the vibrator massagers after the
10 massage incidents. He recalled having young
11 girls coming in to do the massages.

12 BY MR. KUVIN:

13 Q. Did he mention that he, whether he
14 witnessed that?

15 MR. PIKE: Move to strike witness's last
16 statement pending hearsay and form.

17 Mr. Kuvin, next question if he has
18 completed it.

19 BY MR. KUVIN:

20 Q. Did he mention whether or not he had
21 witnessed young girls coming to the house?

22 MR. PIKE: Same objection.

23 THE WITNESS: Yes.

24 BY MR. KUVIN:

25 Q. If we look back at the incident report

1 Page 47 -- got it there -- it looks like you made
2 contact, telephone contact with another girl on
3 November 7 of 2005, and took another taped
4 statement, sworn taped statement. Can you determine
5 by looking at your summary there in Narrative 16 of
6 November 7, 2005, which girl that was?

7 MR. PIKE: Form.

8 THE WITNESS: I believe that was [REDACTED]

9 MR. KUVIN: Okay.

10 THE WITNESS: [REDACTED]

11 BY MR. KUVIN:

12 Q. Do you recall what [REDACTED]'s state of mind or
13 emotional condition was when she spoke to you about
14 this event?

15 MR. PIKE: Form.

16 THE WITNESS: I can't recall.

17 BY MR. KUVIN:

18 Q. Let's take a look at Narrative 17. It
19 looks like you made contact with someone else, you
20 along with Detective Dawson made contact with
21 somebody and left a business card at the front door.
22 Do you see that?

23 A. Yes. Yes, I do see it.

24 Q. Do you recall which girl that was?

25 MR. PIKE: Form.

1 THE WITNESS: No.

2 BY MR. KUVIN:

3 Q. Narrative 18, it looks like you made
4 telephone contact with another white, looks like WF,
5 I assume it means white female, on November 8. Do
6 you recall which girl that may have been?

7 MR. PIKE: Form.

8 BY MR. KUVIN:

9 Q. Let me ask it this way: Was this a
10 recounting of the incident with Ms. Jane Doe No.
11 103?

12 A. No.

13 Q. This is a different girl?

14 A. This is a different girl.

15 MR. PIKE: Form to both questions.

16 THE WITNESS: This was a different girl
17 and I am trying to remember who it was.

18 BY MR. KUVIN:

19 Q. Do you recall the name [REDACTED] ?

20 A. Yes.

21 Q. Is that who this was?

22 MR. PIKE: Form.

23 THE WITNESS: Yes, it was.

24 BY MR. KUVIN:

25 Q. Okay. And apparently she had reported

1 sexual intercourse with Mr. Epstein?

2 A. That is correct.

3 MR. PIKE: Form, leading.

4 BY MR. KUVIN:

5 Q. Did she report any sexual contact with
6 Mr. Epstein?

7 A. Yes, she did.

8 Q. What type?

9 MR. PIKE: Form.

10 THE WITNESS: She was paid to have vaginal
11 intercourse.

12 MR. PIKE: Form, move to strike.

13 BY MR. KUVIN:

14 Q. Did you determine how old she was when she
15 reported having this vaginal intercourse with
16 Mr. Epstein?

17 MR. PIKE: Form.

18 THE WITNESS: Sixteen years of age.

19 MR. PIKE: Spencer, can you hold on?

20 MR. KUVIN: Yes, sir.

21 MR. PIKE: Let's go off the record for a
22 second.

23 (A discussion was held off the record.)

24 MS. EZELL: If I could interject, I was
25 fumbling on mute and I wanted to move to strike

1 the witness's comment that she was paid to have
2 vaginal intercourse with Mr. Epstein.

3 MR. KUVIN: Okay.

4 BY MR. KUVIN:

5 Q. Do you recall the demeanor of [REDACTED], when
6 she was recounting this for you?

7 MR. PIKE: Form.

8 BY MR. KUVIN:

9 Q. Was she upset, calm? How did she appear
10 to you?

11 MR. PIKE: Form.

12 THE WITNESS: She did -- I recall her
13 being upset, talking to me. Occasionally
14 crying. It wasn't like a hysterical cry but
15 she was visibly upset.

16 BY MR. KUVIN:

17 Q. Okay. Do you recall Ms. [REDACTED]'s date of
18 birth?

19 A. Not off the top of my head.

20 MR. KUVIN: All right. Let me see if I
21 can help you here. It looks like we have an
22 unredacted copy of the PC affidavit. That will
23 help. This document will remain sealed
24 pursuant to all previous agreements in the case
25 with respect to any documents that we referred

1 to.

2 THE WITNESS: That's Exhibit 1?

3 MR. KUVIN: Bingo. Do you have a copy?

4 MR. PIKE: Thank you.

5 MR. KUVIN: If you turn to Page 15 of

6 22 --

7 MR. EDWARDS: I have one thanks.

8 BY MR. KUVIN:

9 Q. Do you have Page 15?

10 A. Uh-huh.

11 Q. If we look there, what was [REDACTED]'s date of
12 birth?

13 A. [REDACTED] of '87.

14 MR. PIKE: Form.

15 BY MR. KUVIN:

16 Q. All right. Let's go to, let's stay with
17 this because it's unredacted because it will be a
18 little bit easier. November 15 you apparently met
19 with [REDACTED]; is that correct?

20 MR. PIKE: Form.

21 THE WITNESS: 14th I believe it was.

22 BY MR. KUVIN:

23 Q. 14th, correct. Thank you. And her date
24 of birth is what?

25 A. [REDACTED] of 1987.

1 MR. PIKE: Form.

2 BY MR. KUVIN:

3 Q. Does she describe whether or not she had
4 gone to Mr. Epstein's home?

5 A. Yes.

6 MR. PIKE: Form.

7 BY MR. KUVIN:

8 Q. Did she describe whether or not she
9 brought anyone with her during that time?

10 MR. PIKE: Form.

11 THE WITNESS: If I can read --

12 MR. KUVIN: Yes. You can refer back to it
13 if you need to.

14 MR. PIKE: For the record you're referring
15 back to Exhibit 1, correct?

16 THE WITNESS: Correct. Yes, she did.

17 BY MR. KUVIN:

18 Q. Okay. Now, if we look at Page 16 of 22
19 there with respect to Ms. [REDACTED], it mentions
20 something about a Christmas bonus. Do you see that?

21 A. Yes.

22 Q. Can you explain to us what she told you
23 about that?

24 MR. PIKE: Form.

25 THE WITNESS: She received a wire, a

1 Western Union wire to what she referred to as a
2 Christmas bonus.

3 Q. Who did it come from?

4 A. Mr. Epstein:

5 MR. PIKE: Form.

6 BY MR. KUVIN:

7 Q. All right. On November 15 you met with
8 someone with the initials [REDACTED] is that correct?

9 A. Correct.

10 Q. Do you recall who that was?

11 A. Yes, it's [REDACTED]

12 Q. What was her date of birth?

13 MR. PIKE: Form.

14 THE WITNESS: [REDACTED] of 1988.

15 BY MR. KUVIN:

16 Q. Did she recall going to Mr. Epstein's
17 home?

18 MR. PIKE: Form.

19 THE WITNESS: Yes.

20 BY MR. KUVIN:

21 Q. What was her emotional state when you
22 talked to her?

23 A. She was nervous, scared, and embarrassed.

24 Q. Okay. Did she recount going to

25 Mr. Epstein's home?

1 A. Yes.

2 MR. PIKE: Form.

3 BY MR. KUVIN:

4 Q. Was she underage?

5 MR. PIKE: Form.

6 THE WITNESS: Yes.

7 BY MR. KUVIN:

8 Q. Do you recall how old she was when she
9 went there?

10 MR. PIKE: Form.

11 THE WITNESS: Sixteen.

12 BY MR. KUVIN:

13 Q. Okay. Much like all the other occasions
14 that we have talked about today, was Mr. Epstein
15 naked and received a massage from her?

16 A. Correct.

17 MR. PIKE: Form.

18 BY MR. KUVIN:

19 Q. She was given money like all the other
20 girls for that massage?

21 MR. PIKE: Form.

22 THE WITNESS: Yes.

23 BY MR. KUVIN:

24 Q. And also much like all the other girls,
25 was there also a massager and vibrator involved in

1 that incident?

2 MR. PIKE: Form.

3 THE WITNESS: I believe so.

4 BY MR. KUVIN:

5 Q. Next page, 18 -- one thing I forgot to ask
6 is during the execution of the warrant, if we look
7 there at Line 4 it says: "Numerous photographs of
8 naked young females, some of which appeared to be
9 the girls I previously interviewed, were on display
10 throughout the house." Do you see that?

11 A. Yes.

12 Q. Do you recall that?

13 MR. PIKE: Form.

14 THE WITNESS: That was on the photos
15 hanging on the way up the stairwell to the
16 second floor. Some appeared to be the girls
17 but under closer observation, no.

18 BY MR. KUVIN:

19 Q. But they were naked, or pictures of naked
20 girls leading up that stairwell?

21 MR. PIKE: Form, asked and answered.

22 THE WITNESS: Yes.

23 BY MR. KUVIN:

24 Q. And the stairwell, where was it located?

25 A. Off the kitchen. There was a passage door

1 that would swing open and it led you up a stairwell that
2 just went up and around.

3 Q. All right. And bottom paragraph on
4 December 15, Detective and I met with [REDACTED]. Do you
5 recall who [REDACTED] is?

6 A. Yes, Jane Doe No. 2.

7 Q. What was her date of birth?

8 MR. PIKE: Form.

9 THE WITNESS: [REDACTED] of 1988.

10 BY MR. KUVIN:

11 Q. And it says [REDACTED] made arrangements to take
12 [REDACTED] to the house. Did that mean to Mr. Epstein's
13 home?

14 MR. PIKE: Form.

15 THE WITNESS: Correct.

16 BY MR. KUVIN:

17 Q. Who is [REDACTED]?

18 A. Jane Doe No. 3.

19 Q. Did you determine whether or not [REDACTED]
20 Ms. Doe No. 2, was taken to Mr. Epstein's home when
21 she was minor, in other words under the age of 18?

22 MR. PIKE: Form.

23 THE WITNESS: Correct.

24 BY MR. KUVIN:

25 Q. And once again did [REDACTED] recount a sexual

1 encounter with Mr. Epstein while at his home?

2 A. That's correct.

3 MR. PIKE: Form.

4 BY MR. KUVIN:

5 Q. Once again encountered Mr. Epstein where a
6 massage took place?

7 MR. PIKE: Form.

8 THE WITNESS: Correct.

9 BY MR. KUVIN:

10 Q. When [REDACTED] recounted her incident to you,
11 what was her demeanor?

12 MR. PIKE: Form.

13 THE WITNESS: Crying, upset, embarrassed.

14 BY MR. KUVIN:

15 Q. Did she mention whether or not she told
16 Mr. Epstein where she was attending school?

17 MR. PIKE: Form.

18 THE WITNESS: I believe she did. I
19 believe she did.

20 BY MR. KUVIN:

21 Q. And I'm looking at Page 19 of 22. It
22 appears there is an encounter she describes where
23 Epstein rubbed her breasts and asked her if she
24 liked having her breasts rubbed. Do you recall
25 that?

1 MR. PIKE: Form, move to strike.

2 THE WITNESS: Yes.

3 BY MR. KUVIN:

4 Q. What did [REDACTED] say to you with respect to
5 that issue?

6 MR. PIKE: Form.

7 THE WITNESS: I believe she didn't, she
8 didn't want to have her breasts touched, if I
9 recall.

10 BY MR. KUVIN:

11 Q. It says here -- well, let me ask you this:
12 Was this interview recorded?

13 A. Yes.

14 Q. And during the entire interview was she
15 upset, crying?

16 MR. PIKE: Form.

17 THE WITNESS: I wouldn't say the entire
18 interview. There was times she would cry. She
19 would regain her composure, continue.

20 BY MR. KUVIN:

21 Q. Okay. It says here that she told you
22 Epstein had moved her thong panties to one side and
23 began stroking her clitoris, and [REDACTED] saying he
24 commented on how hard my clit was. Do you see that?

25 MR. PIKE: Form.

1 MR. KUVIN: Right in the center of the
2 paragraph.

3 THE WITNESS: Yes.

4 BY MR. KUVIN:

5 Q. Did she tell you that?

6 A. Yes, she did.

7 MR. PIKE: Form.

8 BY MR. KUVIN:

9 Q. Did she appear upset when she was
10 describing that to you?

11 MR. PIKE: Form.

12 THE WITNESS: Yes.

13 BY MR. KUVIN:

14 Q. Did she then describe whether or not
15 Mr. Epstein penetrates her with his fingers?

16 MR. PIKE: Form.

17 THE WITNESS: Digitally, yes.

18 BY MR. KUVIN:

19 Q. What was Mr. Epstein's response when she
20 voiced concern about that maneuver?

21 MR. PIKE: Form.

22 THE WITNESS: I think originally he told
23 her he was not going to go inside and began
24 touching her. Once his fingers were inside of
25 her, I think she tried to back up to try to get

1 his fingers out. I'm trying to recall.

2 MR. PIKE: Form, move to strike,
3 nonresponsive.

4 BY MR. KUVIN:

5 Q. Do you recall anything else?

6 A. No. That would be a no. I'm sorry.

7 MR. PIKE: I'm sorry. I didn't hear the
8 question.

9 MR. KUVIN: You didn't recall anything
10 else (sic)?

11 MR. PIKE: Form.

12 BY MR. KUVIN:

13 Q. All right. Let's talk about the next
14 entry in some detail here. The next entry is an
15 interview that took place on January 9 of 2006; is
16 that correct?

17 A. Yes.

18 Q. Was that a taped interview?

19 A. Yes, taped.

20 Q. Okay. And the initials [REDACTED] are used. Is
21 that [REDACTED]?

22 MR. PIKE: Form.

23 THE WITNESS: That's correct.

24 BY MR. KUVIN:

25 Q. What was [REDACTED]'s date of birth?

1 A. [REDACTED] of 1988.

2 Q. Okay. How did you identify her as a
3 potential victim or witness?

4 MR. PIKE: Form.

5 THE WITNESS: It was during an interview
6 of another, of another female that was
7 interviewed. Told me that [REDACTED] was brought to
8 the house if I can recall.

9 BY MR. KUVIN:

10 Q. And do you recall where you initially
11 interviewed her?

12 A. I went to her school. She was attending a --
13 it was not like a regular school. It was a different
14 school, as I recall.

15 Q. And when you went to that school, describe
16 for us what you saw. I don't want to hear anything
17 about statements, just what you witnessed when you
18 first went there.

19 MR. PIKE: Form.

20 THE WITNESS: I identified who I was and
21 my purpose for being there, and I wanted to
22 talk to her about this ongoing investigation.
23 She started to cry. She got visibly upset,
24 shaking.

25

1 BY MR. KUVIN:

2 Q. Did you, in fact, conduct the interview on
3 that initial occasion?

4 A. No, I did not.

5 Q. How come?

6 A. Because of the fact that she was a minor and I
7 was at the school. I wanted to inform her father or her
8 parents that I was going to be conducting an interview.

9 Q. Okay. Did she appear to you in a physical
10 or mental state capable of discussing anything with
11 you at that point based on just what you witnessed,
12 not what she may have said but just what you were
13 able to witness?

14 MR. PIKE: Form.

15 THE WITNESS: No.

16 BY MR. KUVIN:

17 Q. Can you describe why?

18 MR. PIKE: Same objection.

19 THE WITNESS: She was shaken. She was
20 physically upset.

21 BY MR. KUVIN:

22 Q. Okay. Did you have to then follow-up?

23 A. Yes, I did.

24 Q. Tell me about that.

25 MR. PIKE: Form.

1 MR. KUVIN: Hang on one second. Objection
2 to form to "tell me about that"?

3 MR. PIKE: It's an investigation and I am
4 not going to waive anything I want to preserve.

5 MR. KUVIN: Is there a particular form
6 that I can fix?

7 MR. PIKE: Quite frankly I am not quite
8 sure you can fix any of this deposition today.
9 I believe that this deposition, once again, is
10 completely --

11 MR. KUVIN: The question.

12 MR. PIKE: -- completely fruitless because
13 it is involving an investigation. None of it,
14 in my research or understanding is admissible
15 in the civil cases. So, there are various
16 things that while your questions in and of
17 themselves may seem correct, the background in
18 which you're eliciting them from is not
19 admissible, so as a result it makes the
20 form incorrect.

21 MR. KUVIN: Let's do this then, why don't
22 we do a standing objection as to all questions
23 during the deposition as to the taking of
24 anything regarding statements, so that you
25 don't have to object to every question that I

1 have asked, because you have literally objected
2 to every question I have asked.

3 MR. PIKE: I have.

4 MR. KUVIN: And if that's the standing for
5 the objection, you can have a standing
6 objection as to all of that. And then what I
7 would I like to know is with each individual
8 question, if there is a way that I can fix the
9 form of that question because of some reason
10 that you think is objectionable, I would like
11 to know that so I can try to fix it.

12 MR. PIKE: Well, let me also say that the
13 form elicits third-party testimony. Almost
14 every one of your questions here today, every
15 one of them elicit third-party testimony which
16 is hearsay and opinion.

17 And no, I will not agree, although I
18 appreciate your offer to have a standing form
19 objection, I think that each objection needs be
20 to raised individually based upon the tenor and
21 structure of your questions.

22 Some of your questions I have not objected
23 to form because the question is was there an
24 investigation. Okay. I am not going to object
25 to form.

1 But when you get into what occurred during
2 that investigation, how he learned of it, who
3 he spoke to, and how many third parties
4 discussed it with the first person that he
5 spoke to, and how those individuals learned the
6 information, I must assert the form and
7 preserve.

8 MR. KUVIN: All right. Let's talk about
9 this though for a minute because this is
10 important. And I'm sorry for taking up your
11 time, Detective, but these questions --

12 THE WITNESS: No.

13 MR. KUVIN: -- involve my client, [REDACTED], so
14 any statements that she made to this Officer
15 are admissions by a party opponent obviously
16 are admissions by a party. So the hearsay
17 issue is frivolous.

18 With respect to anything that she said to
19 him is completely admissible in this proceeding
20 and clearly what he witnessed is admissible
21 because that is eyewitness. He witnessed it
22 himself.

23 So anything with respect to what he saw
24 and what he witnessed, any objections regarding
25 hearsay about that is completely frivolous.

1 What I need to know is when I ask
2 questions specifically with respect to [REDACTED]
3 which I am about to do, I need to know whether
4 or not there is a particular objection to the
5 form of my question that is specific to that
6 question as opposed to the structure of the
7 deposition, which if you want to object
8 generally, then that's fine. I need to know
9 that because if I ask a question specific to my
10 client, I want to know if there is a way that
11 you feel that it needs to be fixed that I can
12 take care of and fix presently with Detective
13 Recarey in the room.

14 MR. PIKE: Okay. As to your statements
15 regarding the frivolous hearsay objections, you
16 seem to forget that this deposition has been
17 cross-noticed by several attorneys who are
18 sitting here today. So, as a result you're
19 taking this deposition, but this is a
20 cross-noticed deposition. And as a result I
21 have to maintain the form assertions as well as
22 various privileges for these other individuals
23 who are representing several other alleged
24 Plaintiffs in these cases. That's Number 1.

25 So, just because you're asking the

1 questions here today, Mr. Kuvin, maybe you
2 should talk to your co-counsel about
3 cross-noticing these depositions because maybe,
4 in fact, it is prejudicing your case. That's
5 Number 1.

6 As Number 2, with regard to his eyewitness
7 accounts, whether or not he observed someone's
8 mental state or whether or not they were in a
9 specific state when he spoke to them, he is not
10 an expert. So, you and I know, you and I try
11 several cases, and we know good and well that
12 police officers are not experts when it comes
13 to the psychological state and mental condition
14 of a particular person on a particular time or
15 a particular day, how did they feel, how did
16 they look, you know, layperson observations.
17 But how did they feel, their mental state, I am
18 going to preserve the form.

19 MR. KUVIN: Okay.

20 MR. PIKE: Thanks.

21 BY MR. KUVIN:

22 Q. With respect to this July 9, 2006,
23 interview that you took of [REDACTED] did she provide to
24 you the date of her birth?

25 MR. PIKE: Form.

1 THE WITNESS: Yes, she did.

2 BY MR. KUVIN:

3 Q. And did she tell you how old she was when
4 she went to Mr. Epstein's home?

5 MR. PIKE: Form.

6 THE WITNESS: Yes, she did.

7 BY MR. KUVIN:

8 Q. How old did she tell you that she was when
9 she went to Mr. Epstein's home?

10 MR. PIKE: Form.

11 THE WITNESS: I believe she said she was
12 15.

13 BY MR. KUVIN:

14 Q. Okay. And did she tell you who took her
15 to Mr. Epstein's home?

16 MR. PIKE: Form.

17 THE WITNESS: I believe, L.M., L.M. I
18 think it was.

19 BY MR. KUVIN:

20 Q. Did she recount to you what L.M. explained
21 about this visit to Mr. Epstein's home?

22 MR. PIKE: Form.

23 MR. KUVIN: And if you can't recall, you
24 can refer to the probable cause affidavit,
25 Pages 19 and 20.

1 MR. PIKE: Just for purposes of the record
2 something else just came to mind is that you
3 said that this line of questioning is to your
4 client, [REDACTED] [REDACTED] has no filed case against
5 Jeffrey Epstein, and [REDACTED] has not provided any
6 sort of information relative to she being, her
7 being your client.

8 So, in that regard I also have to assert
9 form and preserve.

10 MR. KUVIN: She will.

11 MR. PIKE: I know.

12 BY MR. KUVIN:

13 Q. Okay. Did she explain what Ms. L.M. told
14 her about the visit to Mr. Epstein's home?

15 A. If I can refer to the --

16 Q. Please do.

17 MR. PIKE: Form.

18 THE WITNESS: She was to model lingerie
19 for a wealthy person in Palm Beach.

20 BY MR. KUVIN:

21 Q. Okay. Was there any notice given
22 according to what Ms. [REDACTED] told you that she would
23 have to get naked or doing anything sexual?

24 MR. PIKE: Form.
25

1 BY MR. KUVIN:

2 Q. And you can refer to your report if you
3 don't recall.

4 A. I am going to have to refer.

5 Q. That's fine.

6 A. It was some time ago, so...

7 Q. When L.M. described what she was supposed
8 to do at the home of Mr. Epstein, was there any
9 discussion about being naked or having a massage or
10 anything like that?

11 MR. PIKE: One second because I don't
12 understand the question. When L.M. described
13 to [REDACTED] or to Detective Recarey?

14 MR. KUVIN: Correct.

15 BY MR. KUVIN:

16 Q. When L.M. talked to [REDACTED] about what to
17 expect at Mr. Epstein's home, was there any
18 discussion about getting naked initially?

19 MR. PIKE: Form.

20 THE WITNESS: Not initially.

21 BY MR. KUVIN:

22 Q. All right. What did [REDACTED] tell you
23 happened when she got at the home, got to the home?

24 MR. PIKE: Form.

25 THE WITNESS: I believe the private chef

1 prepared dinner for them. At the conclusion of
2 dinner, they went upstairs to do the massage.

3 (Mr. Epstein left the deposition room.)

4 THE WITNESS: And that was the time that I
5 believe [REDACTED] learned of this massage.

6 BY MR. KUVIN:

7 Q. And how did [REDACTED] initially react to that?

8 MR. PIKE: Form.

9 THE WITNESS: She had asked L.M. why they
10 were going to do the massage instead of the
11 modeling.

12 BY MR. KUVIN:

13 Q. All right. Did [REDACTED] have to get or did
14 she get undressed according to her?

15 A. Yes, she did.

16 MR. PIKE: Form.

17 BY MR. KUVIN:

18 Q. And did she tell you whether or not she
19 gave Mr. Epstein a massage while he was naked?

20 MR. PIKE: Form.

21 THE WITNESS: Yes.

22 BY MR. KUVIN:

23 Q. Did she explain to you whether Mr. Epstein
24 touched her?

25 MR. PIKE: Form.

1 THE WITNESS: Yes, he did.

2 BY MR. KUVIN:

3 Q. Where?

4 A. I believe he stroked her vagina.

5 Q. Do you recall whether she discussed if he
6 touched her breasts as well?

7 MR. PIKE: Form.

8 THE WITNESS: He may have. I'm trying to
9 recall. I believe so.

10 BY MR. KUVIN:

11 Q. Okay. What did she tell you Mr. Epstein
12 was doing during this massage?

13 MR. PIKE: Form.

14 THE WITNESS: Masturbated.

15 BY MR. KUVIN:

16 Q. Did he, did she tell you whether he
17 ejaculated eventually?

18 MR. PIKE: Form.

19 THE WITNESS: I believe he did.

20 MR. PIKE: And leading.

21 BY MR. KUVIN:

22 Q. Did [REDACTED] discuss anything with you about
23 threats made by Mr. Epstein to her?

24 MR. PIKE: Form. That would be double
25 hearsay.

1 MR. KUVIN: Actually double admission, so
2 it comes in.

3 MR. PIKE: Well, only now you bring up
4 another whole point which is why I keep
5 objecting to form, just so the record is clear
6 is only admissions against interest are
7 admissible, and you have been talking about
8 your client and other alleged victims. And I
9 haven't heard any admissions -- or let me not
10 identify them -- but I haven't heard you
11 specifically identify admissions against
12 interest to survive my form objection. So you
13 can proceed.

14 MR. KUVIN: It's actually a commonly
15 misinterpreted concept in the law. And it's
16 not admission against interest. It's actually
17 admission by a party opponent. Under the
18 Florida Rules it doesn't have to be against
19 interest, but we can research that later.

20 BY MR. KUVIN:

21 Q. All right. With respect to Mr. Epstein's
22 threats did Mr. Epstein, did -- let me clarify. Did
23 [REDACTED] say whether Mr. Epstein threatened her after
24 the massage took place?

25 MR. PIKE: Form.

1 THE WITNESS: She stated that if she spoke
2 of this to anyone, bad things could happen.

3 BY MR. KUVIN:

4 Q. Did Ms. [REDACTED] tell you that she was afraid?

5 MR. PIKE: Form.

6 THE WITNESS: Yes.

7 BY MR. KUVIN:

8 Q. Did she explain why she was afraid?

9 MR. PIKE: Form.

10 THE WITNESS: Yes, she did. She explained
11 that because he was very wealthy, you know,
12 that he could pay someone to hurt her or her
13 family.

14 BY MR. KUVIN:

15 Q. Did Ms. [REDACTED] explain whether or not she
16 received any additional contact from Mr. Epstein or
17 one of his agents?

18 MR. PIKE: Form.

19 THE WITNESS: I believe she went another
20 time to the house.

21 BY MR. KUVIN:

22 Q. All right. If you would take a look at
23 Page 20 of 22. It says here: [REDACTED] stated that
24 several days later she received a telephone call
25 from Sarah Kellen who coordinated for [REDACTED] to return

1 to, quote, work. Do you see that?

2 A. Yes.

3 Q. Were you ever able to verify and document
4 that Sarah Kellen actually contacted [REDACTED] by
5 telephone records?

6 A. I know cellphone records were obtained for
7 Sarah Kellen and other people during the investigation.
8 I believe that, yes, through the -- I believe I remember
9 seeing individual girls' cellphone numbers off Kellen's
10 cellphone record.

11 Q. Okay.

12 MR. PIKE: Form, move to strike.

13 BY MR. KUVIN:

14 Q. And did Ms. [REDACTED] return, did she tell you
15 that she returned to Mr. Epstein's home --

16 MR. PIKE: Form.

17 BY MR. KUVIN:

18 Q. -- a second time?

19 A. Yes. I believe so.

20 Q. The second time that she returned to the
21 home, was she still a minor? In other words, how --
22 well, let me ask it this way: When she returned
23 according to her to Mr. Epstein's home, how old was
24 she?

25 MR. PIKE: Form.

1 THE WITNESS: Well, she, when she went she
2 was 15.

3 BY MR. KUVIN:

4 Q. Okay. The second time she went though,
5 did she describe that it occurred, you know, a year
6 later, weeks later, a month later?

7 MR. PIKE: Form.

8 THE WITNESS: I'm trying to recall. I
9 don't believe it was like a year later. It was
10 more. I am trying to recall exactly. Could
11 have been a week, two weeks, a month. I'm not
12 100 percent certain but I know it wasn't a year
13 later.

14 BY MR. KUVIN:

15 Q. All right. So, did you determine how old
16 she was that second time she returned?

17 MR. PIKE: Form.

18 BY MR. KUVIN:

19 Q. In other words was she still 15? Had she
20 turned 16 by then?

21 MR. PIKE: Form.

22 THE WITNESS: I can't recall without
23 looking at the report.

24 MR. KUVIN: Take a look if you would.

25 MR. PIKE: And just so we're clear, while

1 he is looking, the other issue I have is that a
2 lot of these questions, for instance the first
3 time, the second time, the third time, it deals
4 with not only [REDACTED] but in some of your
5 questions these deal with other third parties
6 and there is no predicate or foundation having
7 been laid relative to the dates these
8 individuals actually or allegedly came to the
9 home.

10 So, then the follow-up question of how did
11 you determine how old they are, I don't believe
12 the proper predicate is there. So, that's
13 another basis. I mean, you asked, right?

14 MR. EDWARDS: Predicate is there to
15 determine her age at the time; is that what you
16 are saying?

17 MR. PIKE: Yes, proper predicate had not
18 been laid.

19 BY MR. KUVIN:

20 Q. All right. With respect to the second
21 time she went to the home, let's talk about that:
22 Did you determine how old she was the second time
23 she came to the home?

24 A. It would have been several days later.

25 MR. PIKE: Form.

1 BY MR. KUVIN:

2 Q. And what occurred during this second time
3 she was at the home --

4 MR. PIKE: Form.

5 BY MR. KUVIN:

6 Q. -- according to her?

7 A. She returned to the home with L.M. and another
8 massage was conducted.

9 Q. All right. And did this massage involve
10 Mr. Epstein again getting naked?

11 A. Correct.

12 MR. PIKE: Form.

13 BY MR. KUVIN:

14 Q. Did this massage, according to her,
15 involve any touching by Mr. Epstein of her?

16 MR. PIKE: Form.

17 THE WITNESS: Yes.

18 BY MR. KUVIN:

19 Q. Where did she tell you that Mr. Epstein
20 touched her?

21 MR. PIKE: Form.

22 THE WITNESS: She informed me that her
23 vagina was touched digitally while he was
24 masturbating.

25

1 BY MR. KUVIN:

2 Q. Okay. Did she describe during the second
3 time whether or not Mr. Epstein climaxed?

4 MR. PIKE: Form.

5 THE WITNESS: Yes, she did.

6 BY MR. KUVIN:

7 Q. And did she recount for you whether or not
8 Mr. Epstein made another threat to her at the
9 conclusion of this massage?

10 MR. PIKE: Form. Who are we talking
11 about?

12 MR. KUVIN: [REDACTED]

13 THE WITNESS: Yes.

14 BY MR. KUVIN:

15 Q. What did she tell you?

16 MR. PIKE: Form.

17 THE WITNESS: She said that she was not to
18 speak of this to anyone; bad things could
19 happen.

20 BY MR. KUVIN:

21 Q. When you talked to her, was she afraid,
22 bless you, was she afraid that Mr. Epstein would do
23 something to her or her family?

24 A. Yes. She was afraid that someone would hurt
25 either her or her family.

1 MR. PIKE: Form.

2 BY MR. KUVIN:

3 Q. What was her demeanor during this
4 interview with you?

5 A. She was scared. She was nervous. Obviously
6 she was still crying.

7 Q. If we look at Page 21. You met with a
8 gentleman by the name of Alfredo Rodriguez --

9 A. Yes.

10 Q. -- who was the houseman?

11 A. Yes.

12 MR. PIKE: Form.

13 BY MR. KUVIN:

14 Q. Have you come to learn recently that he
15 was arrested by federal authorities?

16 A. Correct.

17 Q. Did you also come to learn recently that
18 he has pled guilty?

19 A. I have not seen. I heard it. It was in, I
20 guess, the news either last night or this morning.

21 Q. Do you know what he pled guilty to?

22 A. No.

23 Q. Are you aware that -- well, when you met
24 with him, did he explain to you whether or not he
25 had any telephone books or telephone logs or any

1 kind of information of girls that had come to the
2 home?

3 MR. PIKE: Form.

4 MR. KUVIN: Documents in other words.

5 THE WITNESS: When I spoke with him, he
6 had advised that he had a, originally he stated
7 journal. But what he provided me was a green
8 folder with different pieces of papers inside
9 the folder.

10 BY MR. KUVIN:

11 Q. Did he ever give you any kind of a journal
12 or binder of names?

13 A. No.

14 Q. Are you aware as you sit here today that,
15 in fact, he did possess such a journal of names?

16 A. Yes, I did.

17 MR. PIKE: Form.

18 BY MR. KUVIN:

19 Q. How did you learn that?

20 MR. PIKE: Form.

21 THE WITNESS: I read it through the
22 newspapers.

23 BY MR. KUVIN:

24 Q. Did you ever see that journal?

25 A. No.

1 MR. PIKE: Form.

2 MR. KUVIN: Let me show you a stack of
3 message books that were apparently -- well, let
4 me ask you about them. It's all of them.

5 (A discussion was held off the record.)

6 BY MR. KUVIN:

7 Q. I'm going to show you a stack first and
8 then what I'll do is I'm not going to mark the
9 entire stack, but I will pull out individual ones so
10 I'll ask you about them. Just take a look at the
11 stack of documents I am showing you.

12 Do you recognize what it is? And if you
13 do, then if you could just describe it for us.

14 A. These are copies of the, some of the phone
15 pads, of phone message pads taken from the home.

16 Q. Okay. Let me take it and I will just ask
17 you some individual questions.

18 MR. PIKE: One second. I want that entire
19 document marked as an exhibit. And it's clear
20 that the witness just refreshed his
21 recollection based upon your past questioning
22 regarding trash pulls and documents that were
23 allegedly taken from the home.

24 So, I want that entire -- he has looked at
25 it. It's in his possession. I want the entire

1 document, put a clip on it and have the court
2 reporter mark it.

3 MR. EDWARDS: Are you talking about the
4 Page 1 that he looked at?

5 MR. PIKE: He didn't just look at Page 1.
6 You should ask him that. He's flipping through
7 the documents.

8 MR. EDWARDS: Every single page? We had
9 this discussion in your client's deposition as
10 well.

11 MR. PIKE: Yeah, that was my
12 attorney-client work product for that witness.
13 So I just want the document marked. That's
14 all.

15 MR. KUVIN: It's not going to be turned
16 over. It's my document.

17 MR. PIKE: The witness has just looked at
18 it.

19 MR. KUVIN: He looked at the first couple
20 pages, so I am not turning it over. I am
21 turning over the documents that I marked from
22 my stack of documents.

23 MR. PIKE: Then I am going to move to
24 strike every question relative to the documents
25 that, that the witness looked at. The witness

1 has flipped through that document. It's not a
2 big deal. You can mark it as an exhibit. It
3 has none of your attorney notes on it, none of
4 your work product on it. It's been in the
5 witness's possession, and as a result, I am
6 entitled to it pursuant to the law.

7 MR. KUVIN: This is Mike Pike on the law.

8 MR. PIKE: Well, then this is what I am
9 going to instruct you to do, preserve that
10 document in whole.

11 MR. KUVIN: Sure.

12 MR. PIKE: Mark it as an exhibit in whole,
13 preserve it. Okay.

14 MR. KUVIN: Why don't you just do a
15 request to produce the phone logs if you don't
16 have these already?

17 MR. PIKE: Why should I wait 30 days for
18 something? I don't know exactly what's in
19 there, Mr. Kuvin. There could be -- I could
20 have all of that in full. I could be missing
21 one document. I don't know what it is that you
22 have. So, if you just want to move forward,
23 you can move forward and you can mark the
24 document, or I am going to move to strike
25 because you haven't marked it as an exhibit.

1 MR. KUVIN: You do whatever you feel
2 appropriate.

3 BY MR. KUVIN:

4 Q. Do you ever come to learn who a woman was
5 by the name of Svetlana?

6 A. No, I did not.

7 Q. What about a Dr. Jarecki, J-a-r-e-c-k-i,
8 did you ever learn who that was?

9 A. No.

10 Q. What about a Jane Doe, (Spells first
11 name).

12 A. No. Some people were not identified off those
13 phone logs.

14 Q. Okay. It appears that some of the phone
15 logs are, the names of the individuals are whited
16 out. Was that done at some point by the department?

17 MR. PIKE: Form.

18 THE WITNESS: No, nothing was ever whited
19 out.

20 BY MR. KUVIN:

21 Q. On the phone logs, no?

22 A. No, not by me.

23 Q. Okay. Did you ever come to learn who the
24 gentleman by the name of Jean Luc was?

25 A. Jean Luc had a modeling agency, I believe,

1 MC2.

2 Q. Did you ever determine whether or not
3 there was any connection between Mr. Epstein and
4 that modeling agency of MC2?

5 MR. PIKE: Form.

6 THE WITNESS: I recall a phone message,
7 duplicate phone message to Mr. Epstein from
8 Jean Luc which said I have a girl for you and
9 then it had two times eight.

10 MR. KUVIN: Let me see if I can find that
11 one.

12 MR. PIKE: Form to that, the other
13 question.

14 MR. KUVIN: This one I will mark.

15 MR. PIKE: Well, I just want it clear for
16 the record that there is a difference between
17 looking at a document and refreshing your
18 recollection on a document. And it's clear
19 under Florida Jur.

20 So, what I would like you to do,
21 Mr. Kuvin, before you categorize these
22 documents, is I would like you to mark this
23 document in full. You can keep it in your
24 possession. All right. And then we can talk
25 about it later instead of, you know, marking

1 several different documents.

2 Maybe it would be easier if you just
3 marked it and we took it up with the court
4 later. Otherwise you're going to, you're going
5 to kind of mess with the structure of the
6 document as the witness has utilized to refresh
7 his recollection.

8 MR. KUVIN: Okay. I appreciate your
9 objection.

10 (Plaintiff's Exhibit No. 6 was marked for
11 identification.)

12 BY MR. KUVIN:

13 Q. I am going to give you what I marked as
14 Exhibit 6. Is that the message that you're
15 referring to?

16 A. Yes.

17 Q. And that message or that photocopy page
18 appears to have four messages in it; is that
19 correct?

20 MR. PIKE: Form.

21 THE WITNESS: Correct.

22 BY MR. KUVIN:

23 Q. Where does the message you're referring to
24 appear on the document?

25 A. Top left.

1 Q. Let me take a quick look.

2 A. I don't know if you saw this one.

3 Q. Let me take a quick look. All right.

4 Just so the record is clear, this message appears to
5 say: "He has a teacher for you to teach you how to
6 speak Russian. She is two times eight years old.
7 Not blonde. Lessons are free, and you can have
8 first today if you call." Did I read that
9 correctly?

10 MR. PIKE: Form.

11 THE WITNESS: That is correct.

12 BY MR. KUVIN:

13 Q. Okay. Did you ever determine what that
14 meant?

15 MR. PIKE: Form.

16 THE WITNESS: I never spoke with Jean Luc
17 but it appears that two times eight is 16.

18 BY MR. KUVIN:

19 Q. Could it mean two 8-year-old girls?

20 MR. PIKE: Form, move to strike the
21 witness's testimony.

22 MR. EDWARDS: He hasn't said anything yet.

23 MR. PIKE: Two times eight equals 16. You
24 didn't hear him say that. I don't think you
25 did, and I move to strike it.

1 Mr. Edwards, this is, if you, if you find
2 something funny here, then maybe we can take a
3 break.

4 MR. EDWARDS: You're striking things that
5 were not said, funny.

6 MR. PIKE: You didn't hear something said
7 and it was said. I move to strike it.

8 MR. EDWARDS: It was the previous
9 question. I get it. I'm with you.

10 MR. PIKE: We're going to take a break.
11 Mr. Edwards needs a break, because there is, by
12 no stretch of the imagination -- I am not here
13 all day to hear Mr. Edwards laugh over there in
14 the corner trying to do a job.

15 MR. KUVIN: To that extent I am not here
16 to hear Mr. Epstein laugh about questions that
17 I am asking either. But he is over here
18 snickering, and I don't mention it every time
19 he snickers at one of the sexual questions that
20 I ask.

21 MR. EDWARDS: I was laughing because I
22 thought you were objecting to the witness's
23 answer and he hadn't yet answered. I
24 understand now. You're objecting to the
25 previous answer then fine.

1 MR. PIKE: Let's just take a break.

2 MR. EDWARDS: I'm fine.

3 MR. PIKE: Let's take a break and everyone
4 can gather their senses and everyone can get
5 back to doing their job on each side of the
6 table.

7 (A brief recess was held.)

8 MR. KUVIN: Are you ready?

9 MR. PIKE: Let's go back on the record.
10 Mr. Kuvin, do you have any idea how much
11 longer? I am trying to get an idea as to
12 whether or not we want an opportunity to
13 question the witness today. And there are
14 other lawyers. I know Mr. Edwards wants an
15 opportunity to go after you, I'm sure.

16 I don't know if Ms. Finnigan is going to
17 be asking questions or Ms. Arbour.

18 So, I would like to get an idea as to how
19 much time you have and then Mr. Edwards and
20 Ms. Finnigan and Ms. Arbour.

21 MR. KUVIN: I'm almost done. I'm going to
22 go through some of the messages and then I have
23 got some probation violation stuff I want to
24 talk about. So, once I am done with that, I
25 should be about done.

1 And then I don't know, we can talk about
2 this, whether or not you-all can go before the
3 rest of the Plaintiffs go. I don't know their
4 feelings on that, but we'll leave it up to
5 them.

6 MR. PIKE: We're fine with letting them
7 go.

8 MR. EDWARDS: I am going to try to make
9 this easy for you. I think we talked earlier
10 that the deposition has to end today at 5. And
11 given those parameters, there is no way that I
12 can get through my questions. We're going to
13 need a second day for this deposition anyway.

14 I am assuming that it's because
15 Mr. Weinberg is down from Massachusetts today
16 and he wants to ask questions. I don't care
17 what order I go in.

18 So, if you want to ask questions next,
19 that's perfectly fine with me. It doesn't
20 really matter. Whatever is easiest. I am
21 amenable to whatever your suggestion is. That
22 really is fine.

23 MR. PIKE: Just for the record when you
24 say you spoke to, when you said you spoke
25 regarding the deposition ending at 5, just to

1 make the record clear you spoke to
2 Ms. O'Connor, correct, at the beginning of
3 today?

4 MR. KUVIN: It was actually a discussion
5 with Kathy Ezell as to whether or not they
6 would get to her, and that's where the
7 discussion went.

8 MR. PIKE: I just want to make sure that
9 discussion wasn't with me, because I am here
10 for as long as it takes to get everyone done.
11 But it's clear that I guess Ms. O'Connor and
12 the witness need to be done at 5. So, 5 is 5.

13 MR. EDWARDS: Right. And given that it's
14 already pretty late, I know that we're not
15 going to get it done, so that's why --

16 MR. PIKE: Understand.

17 MR. EDWARDS: Do you want to ask
18 questions, that's fine, whatever.

19 MR. PIKE: Can I speak with my client for
20 a minute?

21 MR. EDWARDS: Let's take two minutes.

22 MR. PIKE: Just while we're still on the
23 record, Mr. Kuvin, you have agreed not
24 necessarily today but with regard to the
25 message pads, you have agreed to go ahead and

1 flip through them. I don't know --

2 MR. KUVIN: I have agreed, you're going to
3 get a copy of them all.

4 MR. PIKE: I am going to get a copy of
5 them all?

6 MR. KUVIN: Yes.

7 MR. PIKE: Thank you.

8 (A discussion was held off the record.)

9 MR. PIKE: We are going to go back on the
10 record.

11 MR. KUVIN: Okay.

12 MR. PIKE: We're going to just go ahead
13 and follow form with regard to the Plaintiffs
14 finishing, and we'll come back later on.

15 MR. KUVIN: Okay.

16 MR. PIKE: That way you guys can keep that
17 order going.

18 MR. KUVIN: All right. Just keep the
19 phone stuff separate because I only have one
20 copy of that and I just want to make sure I
21 don't lose it.

22 THE WITNESS: Okay.

23 MR. KUVIN: Let's next mark this one as 7.
24 That's the next one I am going to ask him
25 about.

1 BY MR. KUVIN:

2 Q. And while they are looking at that one,
3 let me ask you about the last one we were talking
4 about which is Exhibit 6. Jean Luc Brunel, did you
5 ever establish any, or did you ever determine
6 whether there was any connection between Mr. Brunel
7 and John Casablancas? Did that name ever ring a
8 bell?

9 A. No. I have heard of the modeling firm.

10 Q. Right...

11 A. But, no, no connection.

12 Q. That you were able to determine?

13 A. Right.

14 Q. Okay. With respect to Mr. Brunel, did you
15 ever determine whether or not Mr. Brunel had ever
16 stayed at Mr. Epstein's home on occasion?

17 A. I can't recall.

18 Q. Did you ever determine whether or not
19 Mr. Brunel was present when any underage girls were
20 performing sexual acts for Mr. Epstein?

21 MR. PIKE: Form.

22 THE WITNESS: Not that I'm aware of.

23 BY MR. KUVIN:

24 Q. Did you ever determine whether or not
25 Mr. Brunel was, in fact, providing underage girls to

1 Mr. Epstein --

2 MR. PIKE: Form.

3 BY MR. KUVIN:

4 Q. -- for sexual activities?

5 MR. PIKE: Same objection.

6 THE WITNESS: Based on the phone message
7 it appears that it may be someone.

8 BY MR. KUVIN:

9 Q. Anything else other than Exhibit 6?

10 MR. PIKE: Wait one second. Move to
11 strike witness's last testimony as
12 nonresponsive, and then form to Mr. Kuvin's
13 follow-up question.

14 MR. KUVIN: You can answer.

15 THE WITNESS: Outside of the phone
16 message, no.

17 (Plaintiff's Exhibit No. 7 was marked for
18 identification.)

19 BY MR. KUVIN:

20 Q. All right. Let me show you what we have
21 marked as Exhibit 7. There appears to be three
22 messages regarding someone with the last name
23 Meister. Do you see those?

24 A. Yes.

25 Q. Did you determine who that was?

1 A. No.

2 MR. KUVIN: This is what we'll mark as 8.

3 (Plaintiff's Exhibit No. 8 was marked for
4 identification.)

5 BY MR. KUVIN:

6 Q. All right. Take a look at what I've
7 marked as Exhibit 8 with two messages on the
8 right-hand side. Let me ask you about those for a
9 moment. Do you see one there from David
10 Copperfield?

11 A. Yes.

12 Q. What does it say in the text of the
13 message?

14 A. "Magic David called."

15 Q. Did you come to learn that this was, in
16 fact, David Copperfield the magician?

17 A. Yes.

18 Q. When you went through the phone message
19 pads did you find a number of messages from
20 Mr. Copperfield to Mr. Epstein?

21 A. Yes.

22 MR. PIKE: Form.

23 BY MR. KUVIN:

24 Q. Did you become aware during the
25 investigation that Mr. Copperfield was, in fact,

1 charged with raping a girl?

2 MR. PIKE: Form.

3 THE WITNESS: I recall reading through the
4 media that I know that they executed search
5 warrants either at his home or hotel room, one
6 or the other.

7 BY MR. KUVIN:

8 Q. Okay. Did you learn that prior to this
9 investigation or did that, is that something you
10 learned subsequent to this pending investigation?

11 MR. PIKE: Form.

12 THE WITNESS: It was during the
13 investigation.

14 BY MR. KUVIN:

15 Q. Did you ever have conversations with the
16 federal authorities about Mr. Copperfield that you
17 can recall?

18 A. Not that I can recall.

19 Q. Okay. Do you recall whether or not you
20 learned about the federal investigation regarding
21 Mr. Copperfield before or after the Feds took your
22 information of Mr. Epstein's investigation?

23 (Mr. Goldberger entered the deposition
24 room.)

25 THE WITNESS: I want to say it was just

1 after.

2 MR. KUVIN: Okay.

3 THE WITNESS: Just after everything was
4 given to the FBI.

5 BY MR. KUVIN:

6 Q. Do you know whether or not the FBI
7 utilized any of the information that they may have
8 obtained from your investigation such as message
9 pads in the prosecution of Magician David
10 Copperfield?

11 A. I have no idea.

12 Q. Do you know whether or not Mr. Epstein and
13 Mr. Cooperfield were, in fact, sharing underage
14 girls for sexual acts?

15 MR. PIKE: Form.

16 THE WITNESS: I do not know.

17 BY MR. KUVIN:

18 Q. Do you know whether or not Mr. Epstein and
19 Mr. Copperfield were, in fact, sharing information
20 about girls for sexual acts?

21 MR. PIKE: Form.

22 THE WITNESS: That I don't know.

23 BY MR. KUVIN:

24 Q. Did you ever interview Mr. Copperfield?

25 A. No.

1 Q. All right.

2 MR. PIKE: May I see Exhibit 7? Just give
3 me one second, Spencer, before you start.

4 MR. KUVIN: Sure.

5 MR. PIKE: Can I see 6? Thank you.

6 MR. KUVIN: No problem.

7 (Plaintiff's Exhibit No. 9 was marked for
8 identification.)

9 BY MR. KUVIN:

10 Q. Here is 9. All right. Take a look at
11 Exhibit 9. It appears to be a message there from
12 Jerry Goldsmith. Do you see that?

13 A. Yes.

14 Q. Do you know who that is?

15 A. He is a town resident.

16 Q. Do you know whether he ran for office in
17 the Town of Palm Beach.

18 A. Yes, he did. He ran for mayor.

19 Q. And during the deposition with Chief
20 Reiter in this case, Chief Reiter testified that he
21 had some communications with Mr. Goldsmith about
22 Mr. Epstein.

23 And my question to you is do you know
24 anything about those conversations that may have
25 taken place?

1 MR. PIKE: Form.

2 THE WITNESS: Not really. I didn't get
3 involved in any of the political aspects of
4 that.

5 BY MR. KUVIN:

6 Q. Okay. Do you recall ever having any
7 conversations directly with Mr. Goldsmith about the
8 Epstein case?

9 A. No.

10 MR. KUVIN: Okay. This is 10.

11 (Plaintiff's Exhibit No. 10 was marked for
12 identification.)

13 BY MR. KUVIN:

14 Q. All right. Let me show you what we marked
15 as Exhibit 10. There appears to be a message there
16 from someone named L.M. Do you see that?

17 A. Yes.

18 Q. What's the date of that message?

19 A. March, it looks like 19th of '05.

20 MR. PIKE: Form.

21 MR. KUVIN: What is wrong with the form?

22 MR. PIKE: That's what the message pad
23 says. Whether or not it came through or not,
24 I'm not sure.

25 MR. KUVIN: Okay.

1 MR. PIKE: Form.

2 BY MR. KUVIN:

3 Q. Okay. Could you take a look for me at
4 Exhibit 1 which is the PC affidavit.

5 A. Yes.

6 Q. And tell us, if you would remind us again
7 what was the date that the investigation of
8 Mr. Epstein began?

9 A. March 15th.

10 Q. Of?

11 A. 2005.

12 Q. This message from L.M. occurred according
13 to the document, occurred when?

14 A. March 19th, 2005.

15 Q. All right. And what was the message that
16 was taken down and written on that phone message
17 pad?

18 A. "She will be here at 4:00 p.m. but she needs
19 to talk to you before that. Please call her back."

20 MR. PIKE: Form.

21 BY MR. KUVIN:

22 Q. Did you ever come to learn what L.M.
23 wanted to talk to Mr. Epstein about just days after
24 the investigation began of him?

25 A. No.

1 MR. KUVIN: This one is 11.

2 (Plaintiff's Exhibit No. 11 was marked for
3 identification.)

4 BY MR. KUVIN:

5 Q. While they are looking at that, were these
6 message pads taken from Mr. Epstein's home during
7 the search warrant?

8 A. Correct.

9 MR. PIKE: Form.

10 BY MR. KUVIN:

11 Q. And what was done with them when they were
12 taken from his home? In other words once they were
13 taken into custody, what did you-all do with them?

14 A. We reviewed them for evidentiary purposes.

15 Q. Okay.

16 A. Provided the State Attorney's Office with a
17 copy, obviously, with the filing packet for the arrest
18 warrants, and eventually turned over to the FBI.

19 Q. Okay. All right. Take a look at Exhibit
20 11. It appears to be a message from Jean Luc again.
21 Take a look at that message.

22 A. Okay.

23 Q. Did you ever determine whether or not
24 Mr. Epstein ever had any sexually transmitted
25 diseases?

1 MR. PIKE: Form.

2 THE WITNESS: I was not aware.

3 BY MR. KUVIN:

4 Q. Okay. Let me take a look real quick at
5 Exhibit 11. There was something in this note that
6 talks about Mr. Jean Luc speaking to a doctor about
7 symptoms which can shorten your sex life. Did you
8 see that in the message?

9 A. Yes, I did.

10 MR. PIKE: Form.

11 BY MR. KUVIN:

12 Q. Were you ever able to determine what he
13 was talking about in that message?

14 MR. PIKE: Form.

15 THE WITNESS: No.

16 MR. KUVIN: All right. Exhibit 12.

17 (Plaintiff's Exhibit No. 12 was marked for
18 identification.)

19 BY MR. KUVIN:

20 Q. Does this appear to be more messages from
21 Mr. Goldsmith?

22 A. Correct.

23 Q. Are those dated at all?

24 A. One is and one is not.

25 Q. What was the date of the one that is?

1 A. April 1st, 2005.

2 Q. Had the investigation begun against
3 Mr. Epstein at that time?

4 A. Yes.

5 Q. Do you know why Mr. Goldsmith, did you
6 ever learn why Mr. Goldsmith was contacting
7 Mr. Epstein about a month after the investigation
8 began?

9 MR. PIKE: Form.

10 THE WITNESS: No, I did not.

11 BY MR. KUVIN:

12 Q. Did you ever get a chance to talk to
13 Mr. Goldsmith about the Epstein investigation at
14 all?

15 A. No, I did not.

16 MR. KUVIN: Exhibit 13.

17 (Plaintiff's Exhibit No. 13 was marked for
18 identification.)

19 BY MR. KUVIN:

20 Q. Let me show you Exhibit 13. Does that
21 appear to be another message by Mr. Goldsmith on
22 that message pad?

23 A. Correct.

24 Q. What is the date of that message?

25 MR. PIKE: Form.

1 THE WITNESS: 12/4/04.

2 BY MR. KUVIN:

3 Q. This was before the investigation began?

4 A. Correct.

5 Q. And Exhibit 14, while they are looking at
6 that, did you also find that there were messages
7 from Mr. Leslie Wexner contained within the message
8 pad at Mr. Epstein's home?

9 A. Yes.

10 Q. Did you come to learn who that was?

11 A. Yes.

12 MR. PIKE: Form.

13 BY MR. KUVIN:

14 Q. Who?

15 MR. PIKE: Form.

16 THE WITNESS: He is the CEO of Express,
17 Victoria Secrets.

18 BY MR. KUVIN:

19 Q. Okay. Did you ever get a chance to
20 interview Mr. Wexner?

21 A. No.

22 MR. KUVIN: Exhibit 14.

23 (Plaintiffs Exhibit No. 14 was marked for
24 identification.)

25

1 BY MR. KUVIN:

2 Q. Take a look at 14. Okay. Does that
3 appear to be a another message from Mr. Goldsmith?

4 A. Correct.

5 Q. What is the date of that message?

6 A. The date of the message is 12/14/04.

7 Q. Prior to the beginning of the
8 investigation?

9 A. Correct.

10 (Plaintiff's Exhibit No. 15 was marked for
11 identification.)

12 BY MR. KUVIN:

13 Q. Let me take a look at that real quick. I
14 would like you to take a look at what we have marked
15 as Exhibit 15 at the top right message. Do you see
16 that?

17 A. Yes, sir.

18 Q. All right. Who does that message purport
19 to be from?

20 A. Jean Luc.

21 Q. And we talked before about Jean Luc. Did
22 you come to learn during your investigation whether
23 or not he had or worked with a modeling agency?

24 MR. PIKE: Form.

25 THE WITNESS: I believe so, MC2 which was

1 the modeling agency.

2 BY MR. KUVIN:

3 Q. Okay. Did you ever learn why the name
4 MC2?

5 MR. PIKE: Form.

6 THE WITNESS: No.

7 BY MR. KUVIN:

8 Q. Okay. Mr. Epstein's initials are
9 obviously E, right?

10 A. Yes.

11 Q. Okay. Do you know what E equal MC2 means?
12 Did you ever hear that phrase before?

13 A. Yes.

14 Q. Okay. Now, with respect to the message in
15 the top-right corner of Exhibit 15, what is the
16 content of the message there?

17 MR. PIKE: Form.

18 THE WITNESS: It says LC2models.com;
19 MC2models.com was already taken.

20 BY MR. KUVIN:

21 Q. Okay. Do you know whether or not Jean Luc
22 was working on his modeling agency with Mr. Epstein?

23 MR. PIKE: Form, speculation.

24 BY MR. KUVIN:

25 Q. In other words whether they were partners

1 in the operation of the modeling agency?

2 A. That I don't know.

3 MR. PIKE: Form.

4 MR. KUVIN: Okay. Let's mark 16.

5 (Plaintiff's Exhibit No. 16 was marked for
6 identification.)

7 BY MR. KUVIN:

8 Q. Take a look at Exhibit 16.

9 A. Yes.

10 Q. What is the date of the message according
11 to the pad?

12 A. 12/9/04.

13 Q. Before the investigation began?

14 A. Correct.

15 Q. When you were conducting the investigation
16 of Mr. Epstein and interviewing all of these girls
17 that you interviewed, did you learn of events, of
18 any events that were occurring involving underage
19 girls going back into 2004 and 2003?

20 MR. PIKE: Form.

21 BY MR. KUVIN:

22 Q. In other words did all these events that
23 were described in the probable cause affidavit occur
24 in 2005 or did they occur prior to that?

25 A. They occurred prior to that.

1 MR. PIKE: Form.

2 BY MR. KUVIN:

3 Q. Okay. So, is it safe to say that when
4 Mr. Goldsmith is calling Mr. Epstein in roughly
5 December of 2004, that that period of time is within
6 the time frame that some of the girls described that
7 Mr. Epstein was bringing underage girls to the
8 house?

9 MR. PIKE: Form.

10 THE WITNESS: Correct.

11 BY MR. KUVIN:

12 Q. Did you ever come to learn whether or not
13 Mr. Goldsmith was at Mr. Epstein's home when
14 underage girls were there?

15 MR. PIKE: Form.

16 THE WITNESS: That never came up.

17 BY MR. KUVIN:

18 Q. Okay. Did you ever come to learn why
19 Mr. Goldsmith was calling Mr. Epstein so much --

20 MR. PIKE: Form.

21 MR. KUVIN: During this period of time
22 from December through March.

23 MR. PIKE: I'm sorry.

24 BY MR. KUVIN:

25 Q. -- from December through March of 2004 and

1 2005?

2 MR. PIKE: Form.

3 THE WITNESS: No.

4 (Plaintiff's Exhibit No. 17 was marked for
5 identification.)

6 MR. KUVIN: Let's take a look at 17.

7 MR. PIKE: Can I see that for a second?

8 BY MR. KUVIN:

9 Q. Exhibit 17.

10 A. She may be gone.

11 MR. PIKE: Kathy, are you gone?

12 BY MR. KUVIN:

13 Q. Looking at Exhibit 17, does it appear that
14 there was another message from Mr. Goldsmith?

15 A. Yes, sir.

16 Q. What was the date of that one?

17 MR. PIKE: Form.

18 THE WITNESS: January 9th, 2005.

19 (A discussion was held off the record.)

20 MR. KUVIN: Okay. Let's take a look at
21 Exhibit 18.

22 (Plaintiff's Exhibit No. 18 was marked for
23 identification.)

24 BY MR. KUVIN:

25 Q. Let me take a quick look and see why I was

1 asking about that one. There is a message there on
2 the left from David Copperfield. Do you see that?

3 MR. PIKE: Form.

4 THE WITNESS: Yes, sir.

5 BY MR. KUVIN:

6 Q. What's the content of the message?

7 MR. PIKE: Form.

8 THE WITNESS: "It's Jackpot."

9 BY MR. KUVIN:

10 Q. It's Jackpot, correct?

11 A. Yes, sir.

12 Q. Did you ever come to learn what that might
13 be referring to?

14 A. No.

15 Q. What's the date of that message?

16 A. January 22nd, 2005.

17 MR. PIKE: On the pad.

18 BY MR. KUVIN:

19 Q. According to the pad, correct?

20 A. Yes, sir.

21 MR. KUVIN: Okay. 19.

22 (Plaintiff's Exhibit No. 19 was marked for
23 identification.)

24 MR. KUVIN: Let me take a look at it.

25 THE WITNESS: Yes, sir.

1 BY MR. KUVIN:

2 Q. There are two of them I wanted to ask you
3 about. The bottom left corner, it's another message
4 from Mr. Goldsmith, correct?

5 A. Yes, sir.

6 Q. What's the date of that --

7 MR. PIKE: Form.

8 BY MR. KUVIN:

9 Q. -- according to the message pad?

10 A. According to the pad it states January 25th,
11 2005.

12 Q. And the message to the right, do you see
13 that?

14 A. Above it?

15 Q. To the right.

16 A. To the right.

17 Q. Do you see how there is a section that
18 appears to be whited out?

19 A. Yes, sir.

20 Q. Do you remember whether or not the
21 original of that actually had someone's name there?

22 A. It might have. We -- I didn't white anything
23 out.

24 Q. Do you know if the State Attorney's may
25 have whited stuff out?

1 MR. PIKE: Form.

2 THE WITNESS: It's possible.

3 MR. KUVIN: Okay.

4 (Plaintiff's Exhibit No. 20 was marked for
5 identification.)

6 MR. KUVIN: 20. You can put that with the
7 rest.

8 MR. PIKE: I think Mr. Edwards wanted to
9 take a look at that.

10 MR. KUVIN: Do you want to see this?

11 (Telephone interruption.)

12 MR. KUVIN: We kept going, sorry.

13 MS. EZELL: No, I want you to. I'm sorry.
14 My phone is just crapping out today.

15 MR. KUVIN: That's all right. We're still
16 going.

17 MS. EZELL: Good.

18 MR. KUVIN: Take a look at what we have
19 marked as Exhibit 20.

20 THE WITNESS: Yes, sir.

21 BY MR. KUVIN:

22 Q. All right. In the top right corner there
23 is a message there. Could you tell us what that
24 message according to the pad is?

25 MR. PIKE: Form.

1 THE WITNESS: The top right corner is a
2 message from the Duchess of York.

3 MR. PIKE: Kathy, can you hit mute on your
4 phone?

5 MS. EZELL: I can't on this one. I'm
6 going to another room.

7 MR. KUVIN: All right.

8 MS. EZELL: Okay.

9 BY MR. KUVIN:

10 Q. And the date on that message is what?

11 A. January 25th, 2005.

12 Q. And is there a number left there?

13 A. Yes.

14 Q. And what's the content of the message?

15 A. She's expecting your call.

16 Q. Did you ever come to learn why the Duchess
17 of York may be contacting Mr. Epstein?

18 A. No.

19 MR. KUVIN: I'll show you what we'll mark
20 as Exhibit 21.

21 (Plaintiff's Exhibit No. 21 was marked for
22 identification.)

23 BY MR. KUVIN:

24 Q. If you take a look at Exhibit 21, message
25 on the bottom. It looks like the person who it came

1 from has been deleted, but is there a date on there?

2 A. Yes, sir.

3 Q. What's the date according to the pad?

4 A. According to the pad it states 1/29/05.

5 Q. And what is the content of the message at
6 the bottom there?

7 A. I have 2 females for him.

8 MR. PIKE: May I see that?

9 THE WITNESS: Yes, sir.

10 MR. PIKE: I believe that that
11 mischaracterizes the language of the exhibit.
12 Just for purposes of the record, it says: I
13 have a female for him.

14 THE WITNESS: A?

15 MR. PIKE: There is no S on female.

16 BY MR. KUVIN:

17 Q. Take a look. Do you agree with that?

18 MR. PIKE: There is still a form objection
19 to the question, so I am not waiving, and I am
20 just correcting the language of the exhibit
21 because it's clear there is no S on the end of
22 the word female to make it plural.

23 MR. KUVIN: And it uses the singular A if
24 you wanted to be grammatically correct about
25 it. I don't know. It could be a 2 or it could

1 be an A.

2 BY MR. KUVIN:

3 Q. Can you tell whether or not it's the 2 or
4 the letter A?

5 A. It looks like a 2 that I would write so...

6 Q. Okay.

7 A. I don't know.

8 MR. KUVIN: All right. Fair enough.

9 We'll let the document speak for itself on that
10 issue. Let me show you what we'll mark as 22.

11 (Plaintiff's Exhibit No. 22 was marked for
12 identification.)

13 BY MR. KUVIN:

14 Q. 22 appears to be any additional messages
15 according to the pad for Mr. Goldsmith.

16 A. Yes.

17 Q. Is it Goldsmith or Goldberg? I've
18 forgotten now.

19 A. Goldsmith.

20 Q. Goldsmith, thank you. All right. At some
21 point last year did you come to learn -- well, let
22 me back up. Eventually did you come to learn that
23 Mr. Epstein pled guilty to certain charges --

24 A. Yes.

25 Q. -- criminal charges --

1 A. Yes, sir.

2 Q. -- against him where he was put in jail
3 for a period of time?

4 A. Yes, sir.

5 Q. And after that point in time, did you come
6 to learn that he was on supervised release with
7 probation?

8 MR. PIKE: Form.

9 THE WITNESS: Yes, sir.

10 BY MR. KUVIN:

11 Q. And did you come to learn the terms of
12 that probation; in other words what he could or
13 could not do as far as the community control was
14 concerned?

15 A. I believe it was house arrest.

16 Q. All right. At any time that you can
17 recall in 2009, did you come to learn that
18 Mr. Epstein was not at his house?

19 MR. PIKE: Form.

20 THE WITNESS: Yes.

21 BY MR. KUVIN:

22 Q. Tell me about that.

23 A. While driving in the Town of Palm Beach down
24 along South Ocean Boulevard, I saw Mr. Epstein and his
25 bodyguard walking along South Ocean Boulevard along,

1 along South Ocean Boulevard.

2 Q. All right. Did you notify Captain Frick?

3 A. I notified my supervisor, Sergeant Silvestri
4 who was with Captain Frick at the time.

5 Q. Okay. Did you take any photographs of
6 Mr. Epstein when you saw him?

7 A. Yes, sir, I did.

8 MR. KUVIN: All right. Let's go ahead and
9 we'll mark Exhibits 23 and 24.

10 (Plaintiff's Exhibit No's 23 and 24 was
11 marked for identification.)

12 BY MR. KUVIN:

13 Q. All right. Take a look at what we have
14 marked as 23 and 24. Are those copies of
15 photographs that you took?

16 A. Yes, sir.

17 Q. All right. Do those photographs show
18 Mr. Epstein as you saw him that day?

19 A. Yes.

20 Q. And where did you see him?

21 A. This was taken in the area of Australian
22 Avenue and South Ocean Boulevard.

23 Q. Okay. South Ocean Boulevard being along
24 the ocean?

25 A. Yes. As a matter of fact I was standing right

1 on the ocean wall when this one was taken.

2 Q. That one being 24?

3 A. Correct.

4 Q. Did Mr. Epstein see you taking the
5 photographs as far as you know?

6 A. I have no idea.

7 Q. Okay. Was there a memorandum to the town
8 that was issued as a result of this incident?

9 A. I know that Captain Frick spoke with
10 Mr. Epstein at Clark and South Ocean, Clark Avenue and
11 South Ocean in the Town of Palm Beach. And I understand
12 that Captain Frick spoke with, I don't know her first
13 name, but I know her last name is Sloan (phonetic).

14 Q. Okay.

15 A. From the Department of Corrections.

16 MR. PIKE: Form.

17 MR. KUVIN: Okay.

18 BY MR. KUVIN:

19 Q. Did you come to learn --

20 MR. PIKE: Sorry, Spencer, I want to get
21 form to that. It's kind of like a race between
22 question and answer. So form to that one.

23 BY MR. KUVIN:

24 Q. Did you come to learn what excuse
25 Mr. Epstein gave for being along Ocean Drive --

1 MR. PIKE: Form.

2 MR. KUVIN: -- on that day?

3 MR. PIKE: Form.

4 THE WITNESS: I believe he stated he was
5 walking to work.

6 BY MR. KUVIN:

7 Q. Do you know how far it is from
8 Mr. Epstein's home on El Brillo way to the building
9 we're at today where he supposedly has an office?

10 A. I'd have to say several miles.

11 Q. Is Ocean Drive in the direction of his
12 house and this building here?

13 A. No.

14 Q. Is it, in fact, in the opposite direction
15 towards the ocean?

16 A. Yes.

17 Q. And Mr. Epstein's home is on the Bay?

18 A. On the Intracoastal side.

19 Q. Gotcha. Based on where you saw
20 Mr. Epstein walking, did you believe that this was a
21 violation of his probation?

22 MR. PIKE: Form.

23 THE WITNESS: That's what I had thought
24 which is why I notified my supervisor.

25

1 (Plaintiff's Exhibit No. 25 was marked for
2 identification.)

3 BY MR. KUVIN:

4 Q. All right. Let me show you what we have
5 marked as Exhibit 25.

6 MR. PIKE: Wait a second. Did you finish
7 your response?

8 THE WITNESS: Yes.

9 BY MR. KUVIN:

10 Q. While they are looking at that, do you
11 know how far Mr. Epstein's home is from any church
12 or school?

13 MR. PIKE: Form.

14 THE WITNESS: It's over a thousand feet.
15 I know that.

16 BY MR. KUVIN:

17 Q. Do you know what the closest church or
18 school is in that area of the island?

19 MR. PIKE: Form.

20 THE WITNESS: The school would be, the
21 closest school would be Crippled Children's
22 Society which is on Royal Palm Way. The church
23 would be Bethesda by the Sea.

24 MR. KUVIN: Okay.

25 THE WITNESS: Which is further, even

1 further north.

2 BY MR. KUVIN:

3 Q. Further north. Do you know if part of his
4 conviction as a sexual offender prevents him from
5 being a certain distance from schools or churches?

6 MR. PIKE: Form.

7 THE WITNESS: I believe so. But his
8 residence is within compliance.

9 BY MR. KUVIN:

10 Q. Okay. During your investigation, while
11 they are still looking at that, did you ever speak
12 with a girl by name of [REDACTED] that you can recall?

13 A. No.

14 Q. Did you ever discuss with [REDACTED] all of the
15 girls that she may have brought? Did you ever have
16 a chance to get into that conversation with her?

17 MR. PIKE: Form.

18 THE WITNESS: Obviously I asked that same
19 question to everyone I interviewed.

20 MR. KUVIN: Right.

21 THE WITNESS: Some girls I was able to
22 identify. And other girls I couldn't identify.
23 The name was so common I couldn't pinpoint,
24 but, no, the name does not ring a bell.

25

1 BY MR. KUVIN:

2 Q. Okay. Are there any additional
3 conversations that you can recall having with [REDACTED]
4 that we haven't already discussed?

5 We've recounted two conversations that you
6 can recall with her.

7 A. Right.

8 Q. One is at the school where we talked about
9 where she broke down. The second one is when she
10 explained to you the circumstances that you had in
11 the probable cause affidavit. I was wondering if
12 there was anything else.

13 MR. PIKE: Form, move to strike.

14 THE WITNESS: I spoke, I believe, briefly
15 with her father. I delivered a letter to her
16 home and hand delivered it to her father.

17 BY MR. KUVIN:

18 Q. And what was that letter?

19 A. It was letter drafted by former Chief Reiter.

20 Q. What did it discuss?

21 A. It was a letter --

22 MR. PIKE: Form.

23 THE WITNESS: -- that he had generated to
24 the parents of the victims.

25

BY MR. KUVIN:

Q. Do you remember the content of that letter, generally what it said?

A. It was basically --

MR. PIKE: Form.

THE WITNESS: I remember looking at it. I looked it over prior to delivering them. It mentioned that the case would probably -- this is after the grand jury, after the arrest.

MR. KUVIN: Right.

THE WITNESS: That the case would be referred to the FBI to see if there was any federal nexus to it.

BY MR. KUVIN:

Q. So this was after the referral to the FBI?

A. Yes.

Q. Before we get back to Exhibit 25, just briefly again, [REDACTED], that name in particular, do you know whether she was a part of any of the federal investigation?

A. I have no idea.

Q. All right. If she was not a part of your investigation and not a part of the federal investigation, as you sit here today do you know whether or not additional charges may be brought

1 against Mr. Epstein based upon the acts alleged by
2 Ms. [REDACTED]?

3 MR. PIKE: Form.

4 BY MR. KUVIN:

5 Q. Do you know?

6 A. I have no idea.

7 Q. Do you know what the Statute of
8 Limitations is for a sexual assault or a sexual
9 battery?

10 A. I know under 12 there is no statute of
11 limitations, however --

12 Q. We're talking about 15.

13 MR. PIKE: Form.

14 MR. KUVIN: With a person over the age of
15 15.

16 MR. PIKE: Wait a second. I believe the
17 witness is attempting to respond. So if he has
18 a response, please let him respond and don't
19 interrupt him.

20 BY MR. KUVIN:

21 Q. Fair enough. I am looking for whether or
22 not you know the Statute of Limitations for the
23 prosecution for a person over 15.

24 A. I believe it's five years.

25 Q. Okay. Am I correct in saying as you sit

1 here today you don't know whether or not [REDACTED] was a
2 part of the ultimate nonprosecution agreement that
3 was entered into with Mr. Epstein and the federal
4 authorities?

5 A. I have no idea.

6 Q. Okay. All right. Take a look at Exhibit
7 25. Let me ask you generally while you're looking
8 at that, have you ever seen that before today?

9 A. No.

10 Q. Then that's going to limit a lot of my
11 questions. Do you appear anywhere in that summary
12 that you can tell?

13 MR. PIKE: I am sorry, what exhibit number
14 is that?

15 MR. KUVIN: Twenty-five.

16 THE WITNESS: Twenty-five.

17 MR. PIKE: I just want the record to
18 reflect it.

19 BY MR. KUVIN:

20 Q. And I may have missed it, but I don't see
21 your name in there so --

22 A. No, I don't see it in there either.

23 Q. Were you, in fact, the one, though, that
24 saw Mr. Epstein walking along Ocean Drive?

25 A. Yes, sir.

1 MR. PIKE: Form, asked and answered.

2 BY MR. KUVIN:

3 Q. And you called it into your superior at
4 the time?

5 MR. PIKE: Asked and answered.

6 THE WITNESS: Correct.

7 BY MR. KUVIN:

8 Q. Do you know a woman by the name of Maria
9 Villafana at the State Attorney's office?

10 A. Yes.

11 Q. Did you speak with her at the U.S.
12 Attorney's Office about your investigation?

13 A. One time I spoke with her.

14 Q. Okay. Has she contacted you at all
15 recently?

16 A. No.

17 Q. Do you know whether or not any new girls
18 have met with or spoken to Maria Villafana with the
19 U.S. Attorney's Office?

20 MR. PIKE: Form.

21 THE WITNESS: Not that I am aware of.

22 BY MR. KUVIN:

23 Q. Do you know whether [REDACTED] has now spoken
24 and interviewed with the U.S. Attorney's Office?

25 A. Not that I'm aware of.

1 Q. Do you know if the U.S. Attorney's Office
2 has developed any additional new information with
3 respect to new charges to be brought against
4 Mr. Epstein?

5 A. I have no idea.

6 Q. Has anyone shared with you information
7 with respect to what the U.S. Attorney's Office may
8 have generated through conversations with
9 Mr. Rodriguez who just pled guilty?

10 A. No, I do not.

11 Q. Do you know whether he cut a deal and gave
12 over additional information to the U.S. Attorney's
13 Office to bring additional charges against
14 Mr. Epstein?

15 A. No, sir.

16 Q. Are you aware of any girls that
17 Mr. Epstein has trafficked across state lines?

18 MR. PIKE: Form.

19 THE WITNESS: No, sir.

20 BY MR. KUVIN:

21 Q. Are you aware of any young girls under the
22 age of 18 that he may have brought onto his jets or
23 planes?

24 MR. PIKE: Form.

25 THE WITNESS: No, sir.

1 BY MR. KUVIN:

2 Q. Okay. Do you know whether or not the U.S.
3 Attorney's Office has that type of information one
4 way or the other?

5 MR. PIKE: Form.

6 THE WITNESS: I have no idea.

7 BY MR. KUVIN:

8 Q. Okay. Do you know whether or not
9 Mr. Epstein has a security company now working at
10 his house called Wackenhut?

11 A. Yes.

12 Q. Do you know when they were retained?

13 A. Shortly, shortly after his release from the
14 county jail.

15 Q. Okay.

16 A. Or just prior to his release. One or the
17 other.

18 Q. During the search warrant, was any luminal
19 used to check for DNA throughout the house?

20 MR. PIKE: Form.

21 THE WITNESS: Not 100 percent, not in the
22 house. I believe the massage table.

23 BY MR. KUVIN:

24 Q. How were the massage tables checked?

25 MR. PIKE: Form.

1 THE WITNESS: That you will probably have
2 to refer to Mr. Parkinson on that, Greg
3 Parkinson.

4 BY MR. KUVIN:

5 Q. And he is who?

6 A. The manager at the crime scene unit.

7 Q. Okay. Do you know whether the FBI also
8 took video surveillance at all of Mr. Epstein?

9 MR. PIKE: Form.

10 THE WITNESS: I have no idea.

11 BY MR. KUVIN:

12 Q. Did any of the surveillance video that you
13 or your department took of Mr. Epstein show any of
14 the potential victims that are listed in your
15 probable cause affidavit?

16 MR. PIKE: Form.

17 THE WITNESS: The surveillance log, I
18 remember there were some people that were
19 interviewed because of their recent visits to
20 Mr. Epstein's home that appeared to be young
21 females.

22 BY MR. KUVIN:

23 Q. On the surveillance video?

24 A. Yes. Well, it would have been under the
25 surveillance of either B.S.F. or surveillance video, one

1 or the other.

2 Q. Who is Michelle Pagan?

3 A. Michelle Pagan is an officer with the Town of
4 Palm Beach Police Department.

5 Q. That's right. I'm sorry. I forgot.

6 (Plaintiff's Exhibit No. 26 was marked for
7 identification.)

8 BY MR. KUVIN:

9 Q. Let's take a look at what's been marked as
10 Exhibit 26, and if you could explain what this
11 document is. Would you explain what that document
12 is, Exhibit 26?

13 A. That was a document I created just to show
14 dates, phone numbers, either called in or called out
15 from Sarah Kellen's cellular phone.

16 Q. Okay. There are some things blacked out
17 on there. Why are they blocked out?

18 MR. PIKE: Form.

19 BY MR. KUVIN:

20 Q. Let me ask you this: Did you black them
21 out?

22 A. No, I did not.

23 Q. Does the original of this document have
24 that information on it?

25 A. Yes.

1 Q. All right. What's beneath the blacked out
2 portions since you created this document, if you
3 know?

4 A. The names and cellular phone numbers of the
5 girls that were interviewed.

6 Q. Okay. So, did you confirm that, in fact,
7 Sarah Kellen was calling some of the girls you
8 interviewed?

9 MR. PIKE: Form.

10 THE WITNESS: Yes.

11 MR. KUVIN: Let's mark this as 27. I
12 think 27 -- I will have you explain it -- is a
13 copy of the letter that you delivered that you
14 mentioned before to [REDACTED]

15 (Plaintiff's Exhibit No. 27 was marked for
16 identification.)

17 BY MR. KUVIN:

18 Q. Take a look at Exhibit 27. Is that a copy
19 of the letter you hand delivered to [REDACTED]?

20 MR. PIKE: Form.

21 THE WITNESS: That is correct.

22 BY MR. KUVIN:

23 Q. Okay. All right, I think I am about done
24 but I just have to ask: Did you have anything to do
25 with the incident involving Geraldo Rivera?

1 MR. PIKE: Form.

2 THE WITNESS: No.

3 BY MR. KUVIN:

4 Q. No. Did you come to learn at any time
5 that Geraldo Rivera was standing outside of
6 Mr. Epstein's home --

7 MR. PIKE: Form.

8 BY MR. KUVIN:

9 Q. And someone called 911? Did you hear
10 about that?

11 MR. PIKE: Form.

12 THE WITNESS: I heard rumors about that in
13 the police department, but no, I had no
14 involvement or knowledge of that.

15 BY MR. KUVIN:

16 Q. Okay. Do you know if that occurred while
17 he was in jail or after he had been released on
18 house arrest?

19 A. I have no idea.

20 MR. KUVIN: Okay. All right. I
21 appreciate it. That's all the questions I have
22 at this time.

23 MR. EDWARDS: Who is up?

24 MR. PIKE: Take a quick break off the
25 record. Everybody agree?

1 MR. EDWARDS: Yes.

2 (A brief recess was held.)

3 (Plaintiff's Exhibit No. 28 was marked for
4 identification.)

5 CROSS (DETECTIVE JOSEPH RECAREY)

6 BY MR. EDWARDS:

7 Q. Good afternoon, Detective.

8 A. Good afternoon.

9 Q. I have just handed you what we have marked
10 as Plaintiff's Exhibit 28. And I will show it to
11 defense counsel. Have you seen that document
12 before?

13 A. Yes.

14 Q. What's the date on that?

15 A. 11/28/04.

16 Q. What is that document?

17 A. The Palm Beach Police Department Intelligence
18 Report.

19 Q. What is an Intelligence Report?

20 A. It is a report that is generated by an officer
21 on any information received not deemed to be an incident
22 report; something for detectives to follow-up on.

23 Q. Okay. Who's the officer that was the
24 author of that report?

25 A. It would be Keith Munyan.

1 Q. And have you spoken with Keith Munyan,
2 first question is about anything related to Jeffrey
3 Epstein or the investigation?

4 A. I know for a time there was a time where he
5 was on B.S.F., the Burglary Strike Force, that conducted
6 the surveillance.

7 Q. Okay.

8 A. But actual conversation with him regarding the
9 investigation, no.

10 Q. Did you ever have a conversation with
11 Officer Munyan at any time from the beginning of the
12 world until today about that particular report that
13 was authored in November of 2004?

14 A. No, I did not.

15 (Mr. Epstein entered the deposition room.)

16 BY MR. EDWARDS:

17 Q. From my understanding of the previous
18 testimony, the investigation of Mr. Epstein began
19 sometime in March of 2005 upon a telephone call by
20 some relative of [REDACTED]

21 A. Correct.

22 Q. And it's also my understanding that your
23 testimony was it was your belief that that was the
24 first knowledge that the police department had of
25 possible interactions with underage girls by Jeffrey

1 Epstein; is that correct?

2 MR. PIKE: Form.

3 THE WITNESS: Knowledge to me.

4 MR. EDWARDS: Okay.

5 THE WITNESS: I am -- as far as the police
6 department I have no idea when. Obviously this
7 was prior to the investigation; however, this
8 was not a public record report that was passed
9 around from officer to officer to officer.

10 MR. EDWARDS: All right. So --

11 THE WITNESS: When this is evaluated by
12 the supervisor and submitted, this actually
13 goes to independent units.

14 BY MR. EDWARDS:

15 Q. And do you know what supervisor that
16 particular November, 2004 -- what are we calling it
17 again?

18 A. Intelligence report.

19 Q. Intelligence report. Do you know who the
20 supervisor would have been at the time?

21 A. It looks like it might have been at that point
22 Sergeant Maio. That looks like his initials.

23 Q. Is Sergeant Maio somebody that you have
24 had any conversations with related to the
25 investigation into Jeffrey Epstein?

1 A. No.

2 Q. All right. The first time that you saw
3 that particular report that you're looking at,
4 Plaintiff's Exhibit 28, do you remember when that
5 was?

6 A. That would have been after my investigation
7 began.

8 Q. Okay. After your investigation began
9 which would have been September of 2005?

10 A. Correct.

11 Q. Do you know if -- well, when you reviewed
12 all of the materials to catch yourself up to speed,
13 I believe you testified that that was initially done
14 by Officer Pagan?

15 A. Correct.

16 Q. When you reviewed all of the materials to
17 catch yourself up to speed with the investigation,
18 was that particular report included in those
19 materials?

20 A. No, it was not.

21 Q. So Plaintiff's Exhibit 28 is something
22 that was produced to you or shown to you sometime
23 after your investigation into Jeffrey Epstein began
24 in September of 2005?

25 A. Correct.

1 Q. And do you remember if it was before or
2 after the execution of the search warrant in October
3 of 2005 that you first saw that document?

4 A. I don't know the exact date that I was shown
5 this document, but I know that I would have liked to
6 have it prior to my interview with the person that I
7 interviewed on this case.

8 Q. Are you talking about Jane Doe No. 103?

9 A. Correct.

10 Q. She's the person that was allegedly,
11 according to this report that's been marked as
12 Plaintiff's Exhibit 28, was at Jeffrey Epstein's
13 house in November of 2004?

14 MR. PIKE: Form.

15 THE WITNESS: That is correct.

16 BY MR. EDWARDS:

17 Q. And from what I understand based on the
18 report, house manager Alfredo Rodriguez, calls the
19 police because of a suspicious vehicle in Jeffrey
20 Epstein's driveway?

21 MR. PIKE: Form.

22 THE WITNESS: Correct.

23 BY MR. EDWARDS:

24 Q. Officer Munyan is the one reporting to the
25 scene and finds Jane Doe No. 103.

1 A. Correct.

2 MR. PIKE: Form.

3 BY MR. EDWARDS:

4 Q. Then you read the officer's comments
5 within the report about, you know, what muscle is
6 she massaging. And maybe that's not a direct quote
7 but that's from memory.

8 Seems like there is some idea on his
9 behalf that something was going on inside the house
10 that may not be correct, is that right?

11 MR. PIKE: Form, move to strike, compound,
12 confusing, leading, speculative.

13 MR. EDWARDS: If you understand that bad
14 question, go ahead.

15 THE WITNESS: It appears that he came up
16 with his own opinion.

17 BY MR. EDWARDS:

18 Q. Okay. And when a report like that is
19 drafted, and you say is it always turned over to the
20 captain or the sergeant?

21 A. Usually when an officer completes an
22 intelligence report in the Palm Beach Police Department,
23 they give it to their direct supervisor or the next
24 oncoming shift supervisor. The intelligence report may
25 or may not be completed during their shift, during their

1 tour. It might be just after the ending of their tour.
2 They're jotting information down. They provide it to
3 the supervisor. The supervisor then initials off on the
4 bottom of it.

5 And then it gets disseminated to what is
6 now the Organized Crime/Vice and Narcotics Unit. It
7 is the sergeant's responsibility then of that unit
8 to disseminate it to other units depending on the
9 information provided.

10 Obviously, if it, if this contained
11 information on narcotics, it would stay with
12 Organized Crime/Vice, and Narcotics. If it had
13 information on gypsy thefts, it would go to the
14 detective bureau. If it had an officer safety
15 information, you know, I stopped a kid and he had a
16 necklace with a, if you pulled it apart and it
17 became a knife, then it would go to the entire
18 police department.

19 Q. Okay. And do you know how that document
20 was disseminated or to which department it went?

21 A. This was disseminated to the Organized
22 Crime/Vice and Narcotics Unit.

23 Q. Why is that?

24 A. I don't know.

25 MR. PIKE: Form.

1 THE WITNESS: I don't know. That was --
2 the supervisor at that particular time kept it
3 within Organized Crime.

4 BY MR. KUVIN:

5 Q. Do you know if there was any internal
6 follow-up to that report done by the Palm Beach
7 Police Department?

8 MR. PIKE: Form.

9 THE WITNESS: Not that I'm aware of.

10 BY MR. KUVIN:

11 Q. You have obviously seen that intelligence
12 report. You have been presented with that
13 intelligence report sometime after your
14 investigation. Have you ever gone back to look was
15 there a follow-up to that report?

16 A. I did look to see if there was a follow-up on
17 that report, and there was not much of a follow-up done
18 on it.

19 Q. Did you see any follow-up that --

20 A. I --

21 Q. -- at all?

22 A. I believe that they attempted to contact
23 Ms. Jane Doe No. 103 several times with negative
24 results.

25 Q. Okay.

1 MR. PIKE: Form.

2 BY MR. EDWARDS:

3 Q. Is there any documentation memorializing
4 those telephone calls?

5 MR. PIKE: Form.

6 THE WITNESS: I don't believe so.

7 BY MR. EDWARDS:

8 Q. Why do you believe that they attempted to
9 contact her with negative results?

10 MR. PIKE: Form.

11 THE WITNESS: Because the person that was
12 assigned to this, I spoke with who is now
13 sergeant, Sergeant Krauel. And he said he
14 attempted to contact her on several times to
15 discuss with her this case.

16 BY MR. EDWARDS:

17 Q. I don't know that I can put my finger on
18 the exact document right now, but I believe I read
19 something, and I'm not sure if it was authored by
20 you or Chief Reiter about information back as early
21 as 2001 of young females frequenting Mr. Epstein's
22 house. Do you recall seeing something like that?

23 MR. PIKE: Form.

24 THE WITNESS: There may have been some
25 information received. There may have been some

1 information received as to females young in
2 appearance visiting or frequenting
3 Mr. Epstein's home earlier than that, but I
4 believe that was deemed to be Palm Beach
5 Atlantic College kids back then.

6 BY MR. EDWARDS:

7 Q. Okay. And as early as 2001 it was
8 reported to the Palm Beach Police Department there
9 were numerous young women visiting his residence.
10 And you're testifying that those youth women, to the
11 best of your knowledge, were determined to be
12 college kids?

13 MR. PIKE: Form.

14 THE WITNESS: I believe so.

15 BY MR. EDWARDS:

16 Q. So, there were interviews taken into the
17 2001 information that was delivered to the police
18 department related to these young women, correct?

19 MR. PIKE: Form.

20 THE WITNESS: I'm not sure.

21 MR. EDWARDS: All right. Might as well go
22 ahead and use a couple of stickers that we have
23 there. You might want to show him Page 2.
24 3/28/02 is the date on this.
25

BY MR. EDWARDS:

Q. Okay. So, I am just going to direct your attention to the document that is tabbed 2001 on Page 2.

A. Correct.

Q. So flip it to Page 2, and just read that paragraph that begins with the information in 2001. Okay?

A. Okay.

Q. Have you seen that information before?

A. Like I said, I had heard that there was previous indications of young females frequenting the house, but it was my understanding that it was Palm Beach Atlantic college girls coming over.

Q. And would there be a file with the Palm Beach Police Department related to any investigation, interviews, surveillance, or any other evidence that was discovered during that 2001 investigation?

A. Not that I am aware of.

Q. It appears from reading that document that there were interviews taken, correct?

MR. PIKE: Form.

THE WITNESS: It appears.

1 BY MR. EDWARDS:

2 Q. It also appears that there was
3 surveillance?

4 A. Correct.

5 MR. PIKE: Form.

6 BY MR. EDWARDS:

7 Q. And that's a document that's being
8 generated years later, correct?

9 MR. PIKE: Form.

10 THE WITNESS: Yes, sir.

11 BY MR. EDWARDS:

12 Q. So, just based on your knowledge and
13 experience as a police officer or a detective, do
14 you have any idea where that information or evidence
15 would be kept or stored if at all?

16 A. I have no idea.

17 Q. Okay. If I wanted to find out related to
18 that specific incident, because I know we did a
19 Florida request, and I believe it was all
20 information related to Mr. Jeffrey Epstein. And for
21 the most part we only got information related to
22 this particular investigation that you were a part
23 of.

24 Is there some other designation that I
25 need to send to the Palm Beach Police Department to

1 get information about a 2001 investigation?

2 MR. PIKE: Form.

3 THE WITNESS: I have no idea. You might
4 want to check with the custodian of records,
5 Laura Oregero.

6 BY MR. EDWARDS:

7 Q. Okay. And why do you believe that this
8 particular 2001 investigation related to college
9 students?

10 MR. PIKE: Form.

11 THE WITNESS: Because I recall, I recall
12 someone, and I can't, I don't know who exactly
13 stated that there was information years prior
14 of girls going to the house, but it turned out
15 it was all college girls coming to work for
16 Mr. Epstein at the residence.

17 MR. PIKE: Form, move to strike.

18 BY MR. EDWARDS:

19 Q. And are you aware of what these college
20 girls were doing in terms of work?

21 A. I have no idea.

22 MR. PIKE: Form.

23 BY MR. EDWARDS:

24 Q. All right. The term work and the term
25 massage has been used by you and many other

1 witnesses in this particular case. And by that, by
2 those terms is it your understanding that those
3 terms refer to the scenario wherein Jeffrey Epstein
4 pays underage girls to sexually assault them?

5 MR. PIKE: Form.

6 THE WITNESS: As far as the case that I
7 investigated, 05368, the girls referred to it
8 as work. And when I asked, because I, in my
9 interviews I asked them what do you mean work,
10 and that's what they referred it to.

11 BY MR. EDWARDS:

12 Q. When you say that's what -- I mean I was
13 trying to shorten it because I have listened to you
14 testify about many girls, the same scenario over and
15 over again. But are we talking about -- well, I
16 will let you put it in your own words.

17 When the girls said I am going to Jeffrey
18 Epstein's house to work, what did they ultimately
19 elaborate and tell you what that meant?

20 MR. PIKE: Form, move to strike, narrative
21 and leading.

22 THE WITNESS: Providing massages whether
23 them being naked or partially clothed, and some
24 obviously being fondled or touched.
25

BY MR. EDWARDS:

Q. Okay. And I believe you told us in your background you worked in narcotics before?

A. Yes, sir.

Q. In narcotics specifically, are there code words that are used related to criminal activity?

MR. PIKE: Form.

THE WITNESS: Yes.

MR. PIKE: Relevance.

BY MR. EDWARDS:

Q. When people talk over the telephone about what kinds of drugs they are selling and things like that, is it your training and experience that code words are often used?

A. Correct.

MR. PIKE: Form.

BY MR. EDWARDS:

Q. In this particular case regarding Jeffrey Epstein, the words work and massage in your training and experience, are those code words that were used by Jeffrey Epstein and the other people working for him?

MR. PIKE: Form.

THE WITNESS: As far as I know the girls all referred to it as work. I don't know if

1 that is a specific code word.

2 BY MR. EDWARDS:

3 Q. Do you know where they learned that word
4 from?

5 MR. PIKE: Form. Were you finished with
6 your response?

7 THE WITNESS: Yes.

8 MR. PIKE: Okay.

9 THE WITNESS: No, I have no idea.

10 BY MR. EDWARDS:

11 Q. Well, you've looked at several message
12 pads today and the word work is used on those,
13 correct?

14 A. Correct.

15 Q. And those, that was not written by the
16 girls. Those are things that are written by Jeffrey
17 Epstein's assistants to the best of your knowledge;
18 is that correct?

19 A. Yes.

20 MR. PIKE: Form.

21 BY MR. EDWARDS:

22 Q. Regarding the message pads, were those
23 taken, were all the message pads taken at the same
24 time?

25 MR. PIKE: Form.

1 THE WITNESS: Yes.

2 BY MR. EDWARDS:

3 Q. And by taken I mean retrieved at the same
4 time?

5 A. During the search warrant.

6 Q. All right. Were any the message pads, and
7 that is what in reading the report I have had a
8 tough time deciphering, were some taken from the
9 trash pulls and some from the house or were they all
10 taken in the search warrant?

11 MR. PIKE: Form.

12 THE WITNESS: The message pads were
13 double-sided. You would write the message onto
14 its pad. The top layer would peel off
15 depending on who the message was for, and then
16 there would be a carbon copy kept underneath.
17 And the pads that you're seeing, the majority
18 of those messages were carbon copies.

19 BY MR. EDWARDS:

20 Q. And taken when?

21 A. During the search warrant.

22 Q. All right. Were any of the messages that
23 we have copies of taken from trash pulls where it's
24 the actual message that's been crumpled up and
25 thrown away?

1 MR. PIKE: Form.

2 THE WITNESS: Correct.

3 MR. PIKE: You're talking about messages.

4 Are you talking about the 2-inch stack of
5 documents that Mr. Kuvn earlier showed the
6 witness? And I am not talking, Mr. Kuvn --

7 MR. EDWARDS: The format is similar to
8 that.

9 MR. PIKE: Mr. Kuvn has already agreed to
10 produce them to us. It's not a trick. I just
11 want to understand what we're talking about.
12 Is it those message pads?

13 MR. EDWARDS: Right.

14 BY MR. EDWARDS:

15 Q. Are those the message pads that you were
16 referring to?

17 A. Yes.

18 Q. I want to make sure that we're on the same
19 page. We're communicating.

20 A. But to answer your previous question from the
21 trash pulls, we did obtain originals, the top layer of
22 the message.

23 Q. Okay. And when documents, any papers, any
24 documents were retrieved from trash pulls and taken
25 into evidence, were those taken into evidence by you

1 during the investigation?

2 A. Correct.

3 Q. So, if it came down to trial would it be,
4 would you be the person that would be able to say
5 this is a fair and accurate representation of what
6 was taken into evidence at this particular time?

7 MR. PIKE: Form.

8 THE WITNESS: Based on the trash pulls
9 that I requested, that I conducted, yes, I
10 would be the one. I could tell you I could see
11 it, and that's the one that I put into
12 evidence.

13 BY MR. EDWARDS:

14 Q. And with respect to the message pads that
15 were retrieved during the search warrant, would you
16 also be able to identify them and indicate whether
17 they are a fair and accurate representation of what
18 was taken into evidence?

19 A. Yes.

20 MR. PIKE: Form.

21 THE WITNESS: Yes.

22 BY MR. EDWARDS:

23 Q. And not only with respect to the message
24 pads, but with all the evidence that is listed on
25 your property receipt, assuming that one day we get

1 to see the evidence, would you be the one to
2 identify it?

3 A. Yes.

4 MR. PIKE: Form.

5 BY MR. EDWARDS:

6 Q. And I know you have testified that the FBI
7 took possession of all of the documents and items
8 that are listed in the property receipt, right?

9 A. That is correct?

10 MR. PIKE: Form.

11 BY MR. EDWARDS:

12 Q. Did you or your department --

13 A. Let me, let me correct that.

14 Q. Okay.

15 A. The items that were returned to Janusz had
16 nothing to with the FBI. That was determined that he
17 was the rightful owner of the items collected, and that
18 was returned back to him and it contained no contraband
19 or any kind of images or anything like that.

20 Q. No evidence of any criminal activity that
21 you could tell?

22 A. Correct.

23 MR. PIKE: Form.

24 BY MR. EDWARDS:

25 Q. So with respect to the items that were

1 determined to be evidence and listed on the property
2 receipt, and just so that we're clear, the documents
3 that were not Janusz Banasiak, did you or your
4 office make any copies of any of that material?

5 A. No, because I actually signed out the message
6 pads to review them. I know that the State Attorney's
7 Office was provided a copy with the filing packet.

8 Q. Okay. Do you know approximately -- well,
9 not approximately. Do you know how many messages,
10 how many message squares were retrieved or how many
11 pages from the message pads were retrieved during
12 the search warrant?

13 MR. PIKE: Form.

14 THE WITNESS: I couldn't give you an
15 accurate number. I know some were.

16 BY MR. EDWARDS:

17 Q. More than one message pad?

18 A. As far as carbon copies are concerned?

19 Q. Right.

20 A. The carbon copies, there were several books
21 taken.

22 Q. That's what I am asking.

23 A. There were several books taken. If you look
24 at the property receipt, it will say phone message book,
25 phone message book and the location where it was taken

1 from.

2 Q. Okay. The way that they have been
3 presented to us, at least the copies, are four per
4 page. Is that how it appears on the book?

5 A. Yes.

6 Q. When is the first time that you had any
7 contact with Jeffrey Epstein?

8 A. I met Mr. Epstein during an investigation
9 where someone had broken into his home and stolen money
10 and I believe a firearm. And, if I recall, I came over
11 to assist other detectives to install a covert camera in
12 hopes to catch the person breaking into the house.

13 Q. Okay. And I have seen that report
14 somewhere. And I think that will take a long time
15 to get into, and I don't believe we have that much
16 time, but that was sometime in 2003; is that
17 correct?

18 A. That's correct. That's the first time I met
19 Mr. Epstein.

20 Q. Had you heard of him or known of him prior
21 to that time?

22 A. No.

23 Q. All right. Are you aware of various
24 donations that he has made to the Palm Beach Police
25 over the years?

1 A. No.

2 MR. PIKE: Form.

3 BY MR. EDWARDS:

4 Q. Were you aware of any of donations that he
5 has ever made?

6 A. I recall a donation he made to purchase
7 equipment, video enhancing equipment shortly thereafter
8 that case.

9 Q. Okay. Are you aware of a \$50,000 donation
10 back in 2002 by Mr. Epstein that was delivered
11 personally to Chief Reiter by Gerald Goldsmith?

12 A. No.

13 Q. Has anybody ever made you aware that he
14 donated \$50,000 to the Palm Beach Scholarship fund
15 April 1st, 2002?

16 MR. PIKE: Form.

17 THE WITNESS: No.

18 BY MR. EDWARDS:

19 Q. Has anybody ever made you aware that he
20 donated \$36,000 to the purchase of a forensic video
21 analysis system in October of 2003?

22 A. That, that was the --

23 MR. PIKE: Form.

24 THE WITNESS: -- video enhancing
25 equipment.

1 BY MR. EDWARDS:

2 Q. Okay. That's what you were just talking
3 about?

4 A. Yes, sir.

5 Q. And these donations, when they have been
6 made, is it your understanding that they are made
7 through a company owned or controlled by Jeffrey
8 Epstein, COUQ Foundation, Inc.?

9 MR. PIKE: One second. Can you repeat
10 that for the record?

11 MR. EDWARDS: Sure.

12 BY MR. EDWARDS:

13 Q. When the donation that you're aware of was
14 made, was it your understanding that it was made
15 through the COUQ Foundation, Inc., a company
16 controlled by Jeffrey Epstein?

17 MR. PIKE: Form.

18 THE WITNESS: I have no idea.

19 BY MR. EDWARDS:

20 Q. When these donations are made, who
21 receives the donation?

22 A. The chief or the town manager.

23 Q. Okay. So if the chief is the one writing
24 letters thanking Mr. Epstein, the chief would be the
25 best person to ask about these donations?

1 A. Correct.

2 Q. And in terms of how the records are kept,
3 copies of the checks and things like that, that's
4 something for a record custodian or the chief, not
5 for you?

6 A. Not for me. That's way above my pay grade.

7 Q. We talked about this November 2004 report.
8 You were not aware of that until sometime in 2005 or
9 2006, correct?

10 MR. PIKE: And for the record you're
11 talking about Exhibit 28, right?

12 THE WITNESS: Exhibit 28.

13 MR. EDWARDS: I believe so.

14 BY MR. EDWARDS:

15 Q. Were you made aware that December,
16 December 14th, 2004, 15 or 16 days after that report
17 is generated, Jeffrey Epstein donates \$90,000 for an
18 electronic firing range technology? Were you aware
19 of that?

20 A. No.

21 MR. PIKE: Form.

22 BY MR. EDWARDS:

23 Q. Do you know who it is that Jeffrey Epstein
24 talks to, if anybody, within the Palm Beach Police
25 Department back in 2004 to ultimately donate money?

1 A. Again, it would have to be the chief of police
2 or the town manager or --

3 Q. I guess what I am asking is there any
4 coordinator of donations --

5 A. No.

6 Q. -- that works -- okay. And do you know
7 what was done with the December 14th, 2004, donation
8 made by Jeffrey Epstein?

9 MR. PIKE: Form.

10 THE WITNESS: I believe that the donations
11 were returned to him, I believe.

12 BY MR. EDWARDS:

13 Q. And by returned, they would have been
14 returned back to whatever company they were written
15 from, COUQ Foundation?

16 MR. PIKE: Form.

17 THE WITNESS: I believe. I have no idea.

18 BY MR. EDWARDS:

19 Q. And do you know if Chief Reiter and
20 Jeffrey Epstein had a relationship where they spoke
21 with each other back in 2004 and 2005 --

22 A. I have no idea.

23 Q. -- on any type of frequent basis?

24 A. I have no idea.

25 Q. Did you ever speak with Jeffrey Epstein

1 over the telephone prior to your investigation that
2 began in September of 2005?

3 MR. PIKE: Form.

4 THE WITNESS: No. Like I said, I may have
5 introduced myself to him when I came over to
6 assist to install the camera during the
7 burglary investigation, but other than that...

8 BY MR. EDWARDS:

9 Q. When you first arrived to the house back
10 in 2003 related to the burglary, were there already
11 cameras in place?

12 MR. PIKE: Form.

13 THE WITNESS: I do not believe so.

14 BY MR. EDWARDS:

15 Q. All right. So when you arrived, Jeffrey
16 Epstein was asking for your assistance in helping
17 set these cameras up?

18 A. I take that back. It might have been, the
19 cameras might have already been installed as far as the
20 covert clock in the office area because that was the
21 area that was burglarized.

22 Q. Okay.

23 A. And the only reason why I remember that is
24 because I had interference between his system and our
25 system.

1 Q. All right. I am going to go back to
2 Plaintiff's Exhibit 29, same page that we looked at
3 last time related to a 2001 investigation, and ask
4 you to read the paragraph just above of that
5 paragraph we reviewed before.

6 A. Yes, sir. This paragraph we're talking about,
7 September 2005?

8 Q. Yes. Are you ready?

9 A. Yes, sir.

10 Q. Do you remember speaking with the Chief or
11 to Jeffrey Einstein or any of his representatives
12 directly about a 2005 donation that Jeffrey Epstein
13 was calling to make?

14 A. No.

15 Q. All right. When is the first time that
16 you learned that sometime around September of 2005
17 Jeffrey Epstein was calling the police department to
18 make a donation?

19 MR. PIKE: Form.

20 THE WITNESS: I didn't even know he was
21 calling in 2005 to make a donation. Like I
22 said, I have no, no involvement in that
23 whatsoever.

24 BY MR. EDWARDS:

25 Q. Okay. That's not something that Chief

1 Reiter ever talked to you about?

2 A. No.

3 Q. So, right now is the first time that
4 you're learning that?

5 A. Yeah.

6 Q. Okay. Well, it looks like based on this
7 report that it was discussed with Epstein that his
8 potential donation of funds to purchase an Automated
9 Fingerprint Identification System for approximately
10 \$130,000 was never made; is that correct?

11 MR. PIKE: Form.

12 THE WITNESS: Correct. I know we're
13 not -- we don't have any system. We go to the
14 Sheriff's office to input fingerprints.

15 BY MR. EDWARDS:

16 Q. And Epstein's response was that was not
17 exactly what he hoped to donate as he wanted to
18 donate something that would provide some direct
19 benefit to police officers such as the services of a
20 chiropractor for a year.

21 Were you ever aware that Jeffrey Epstein
22 was trying to get chiropractic services for the
23 police officers for a one-year period?

24 MR. PIKE: Form.

25 THE WITNESS: No.

1 BY MR. EDWARDS:

2 Q. Today is the first day you're learning it?

3 A. Yes, sir.

4 Q. Any reason that you can think of that that
5 information was not conveyed to you during the time
6 that you're the lead detective on the case against
7 him?

8 MR. PIKE: Form.

9 THE WITNESS: Well, because that's
10 something that really has no -- I mean, I have
11 no direct involvement with any donations to the
12 police department, nor would that have made a
13 difference in the investigation.

14 BY MR. EDWARDS:

15 Q. You testified earlier the search warrant
16 was executed October 21st, 2005; is that correct?

17 MR. PIKE: Form, asked and answered.

18 THE WITNESS: The 20th, I believe.

19 BY MR. EDWARDS:

20 Q. Were you aware of a telephone call made
21 from somebody named Leslie Groff in November of 2005
22 asking to get a copy of the January 2005 citizen
23 award that was given to Jeffrey Epstein and Selena
24 Dubin (phonetic)?

25 MR. PIKE: Form.

1 THE WITNESS: No.

2 BY MR. EDWARDS:

3 Q. Did you know that Jeffrey Epstein received
4 a January 2005 citizen award?

5 A. Not that I am aware of. I don't know. Like I
6 said, these are things that I don't get involved with.
7 You know, that's strictly the Chief and way above my pay
8 grade.

9 Q. If awards like that are given out, are
10 they given out directly by the chief?

11 A. Yes.

12 Q. I apologize for my ignorance. I am just
13 not sure exactly what goes on in the police
14 department and whose role it is to do that. So
15 you're not the right person. We'll just keep moving
16 on.

17 Some of the documents that we have talked
18 about today have been redacted. I think the
19 explanation is they are minor victims. My question
20 is if we wanted an unredacted version and if we
21 agree that we're entitled to it, would that be
22 something that would be in the possession of the
23 Palm Beach Police Department?

24 MR. PIKE: Form.

25 THE WITNESS: I would assume so.

1 BY MR. EDWARDS:

2 Q. Okay. The information that was provided
3 this week to us, most of which is redacted, is
4 something and was redacted recently for the purpose
5 of producing it to us, is that what you think?

6 MR. PIKE: Form.

7 THE WITNESS: Correct.

8 BY MR. EDWARDS:

9 Q. Somewhere there is an unredacted version?

10 A. Correct.

11 Q. And if I wanted to discuss the
12 investigation of Jeffrey Epstein between March of
13 2005 and September of 2005, is Officer Pagan the
14 person to speak with?

15 A. Yes.

16 Q. With Mr. Kuvin you spoke about many
17 different young females that were at Jeffrey
18 Epstein's home. And you interviewed numerous of
19 those females, correct?

20 A. Correct.

21 MR. PIKE: Form.

22 BY MR. EDWARDS:

23 Q. And did you record those interviews?

24 MR. PIKE: Asked and answered.

25 THE WITNESS: I believe so, yes, the

1 majority of them.

2 BY MR. EDWARDS:

3 Q. And do you have any copies of those tapes
4 of the interviews?

5 MR. PIKE: Form.

6 THE WITNESS: They were all turned over to
7 the FBI.

8 BY MR. EDWARDS:

9 Q. They are not backed up on a computer or
10 anything?

11 A. No, sir. They were microcassettes. The ones
12 that were conducted at the police department were video
13 cassettes, but all those as well were turned over to the
14 FBI.

15 Q. Is it your understanding that Jeffrey
16 Epstein pled guilty to two felonies related to
17 prostitution, correct?

18 MR. PIKE: Asked and answered.

19 THE WITNESS: Correct.

20 BY MR. EDWARDS:

21 Q. In your interviews of these young females,
22 were any of those females prostitutes prior to
23 meeting Jeffrey Epstein --

24 MR. PIKE: Form.

25

1 BY MR. EDWARDS:

2 Q. -- to your knowledge?

3 A. No.

4 MR. PIKE: I'm sorry. I don't understand
5 the answer. So maybe you can follow-up with
6 that. Tell you what, we'll just keep it at
7 form.

8 BY MR. EDWARDS:

9 Q. In organized crime you've seen these
10 diagrams where it has a mob boss?

11 A. Organizational chart.

12 Q. Yes, organizational chart. Did you ever
13 prepare any diagrams or charts like that for this
14 case related to which girl brought another girl
15 brought, another girl, the organizational chart
16 so-to-speak?

17 MR. PIKE: Form, move to strike.

18 THE WITNESS: Not a chart, per se, but
19 perhaps I've done like this person brought
20 these three girls, this person brought these
21 two girls, this person brought five girls. But
22 not a, you know, like an [REDACTED] chart where
23 you've got the mob boss, the under-boss.

24 BY MR. EDWARDS:

25 Q. You never tried to do it in a formal

1 manner, but you are saying that you may have jotted
2 down some --

3 A. Correct.

4 Q. Where would that, where would that diagram
5 be?

6 A. All that went over to the FBI.

7 Q. Okay. That stuff that's obviously not in
8 the property receipt, but that's additional stuff
9 that has gone to the FBI?

10 A. Correct. Like I said, they wanted everything
11 including my working files, my -- anything that I may
12 have jotted just so I can keep record of who brought
13 who.

14 Q. And again is that information that you
15 never made a personal copy of either?

16 A. It was all in my thumb drives which I had to
17 actually hand over to them.

18 Q. Okay.

19 MR. PIKE: Form to that question.

20 BY MR. EDWARDS:

21 Q. What about any notes that you took during
22 the entire course of the investigation, do you have
23 any of those?

24 A. Once I transcribed them onto the report, those
25 were shredded and discarded.

1 MR. PIKE: Form.

2 BY MR. EDWARDS:

3 Q. What did you do today to prepare for the
4 deposition, if anything?

5 A. I read over the redacted incident report.
6 That's basically it.

7 Q. Okay. And the redacted incident report,
8 you have been asked questions about who is this
9 person that's underneath the redacted portion. And
10 for the most part you haven't been able to identify
11 a lot of those people. So, am I correct in
12 understanding that you never went back and looked at
13 the unredacted version?

14 MR. PIKE: Form.

15 BY MR. EDWARDS:

16 Q. At least to prepare for this deposition?

17 A. I believe there was just one girl that I
18 wasn't 100 percent certain.

19 Q. Okay.

20 A. But on the others I was able to based on the
21 body of it identify who the girls were.

22 Q. Okay. During these interviews, how long
23 did you spend with each person?

24 A. Depends on the length of the videos, of the
25 interviews. Some were an hour.

1 Q. I mean, I'm sorry for such a bad question,
2 but in looking at these property receipts, I just
3 don't see where it tells me how much time each
4 interview had taken. So, I mean, is there an
5 average?

6 A. That's not going to indicate on any property
7 receipt. There is no...

8 Q. Right. Okay. Have you ever seen the
9 nonprosecution agreement?

10 A. No.

11 Q. Have you ever seen the attached list of
12 victims that was attached as an addendum to the
13 nonprosecution agreement?

14 MR. PIKE: Form.

15 THE WITNESS: I believe the Chief had a
16 copy of it. He may have, you know, done one of
17 these, but, no, not in my physical hands.

18 MR. PIKE: And just for the record when
19 the witness said --

20 THE WITNESS: I held it up.

21 MR. PIKE: -- one of these, he held up
22 Exhibit 29.

23 MR. EDWARDS: Which said memorandum.

24 MR. PIKE: Memorandum.

25 THE WITNESS: I just held it up.

1 BY MR. EDWARDS:

2 Q. If a memorandum exists and it is the
3 attached addendum to the nonprosecution agreement
4 containing the names of the underage victims, would
5 that be something in the possession currently of the
6 Palm Beach Police Department?

7 MR. PIKE: Form.

8 THE WITNESS: I don't believe so.

9 BY MR. EDWARDS:

10 Q. Is that something that's been destroyed or
11 also --

12 MR. PIKE: Form.

13 THE WITNESS: I never received a copy of
14 it so...

15 BY MR. EDWARDS:

16 Q. Have you ever seen it?

17 A. Like I said, I may have seen it. I may have
18 been shown it, you know, and just by holding it up and I
19 am only using this exhibit as an example. It may have
20 been just shown to me like this but not in my hands
21 where I actually read the entire document.

22 MR. PIKE: Move to strike.

23 BY MR. EDWARDS:

24 Q. In your investigation, did you prepare a
25 flight log summary?

1 A. I remember getting documents from Alan
2 Dershowitz which were flight logs pertaining to
3 Mr. Epstein's plane. And I subpoenaed the information
4 from Jet Aviation, but I don't, I don't recall preparing
5 a flight log.

6 Q. Okay. Do you remember receiving
7 information from Jet Aviation directly?

8 MR. PIKE: Form.

9 THE WITNESS: Jet Aviation does not keep
10 records according to them as to who flies on
11 what plane. I guess you can just drive up to a
12 plane, board it. They have no idea who's on
13 the, who is flying on the plane. They have
14 records of when the plane comes in, if the
15 plane is serviced, and when the plane leaves.

16 BY MR. EDWARDS:

17 Q. Did you ever attempt to check with customs
18 or FAA on any of the passengers that have ever been
19 on international flights with Jeffrey Epstein or on
20 his planes?

21 MR. PIKE: Form.

22 THE WITNESS: I'm trying to recall.

23 BY MR. EDWARDS:

24 Q. At the current time do you have any
25 knowledge of that being done by either the U.S.

1 Attorney's office or the FBI?

2 A. I have no idea what the FBI does. They are
3 primarily one way. You give them the information and
4 nothing comes back, so...

5 Q. I am starting to get that idea. I am
6 understanding that. Okay.

7 A. But you know, and I work with them almost on a
8 daily basis, so I am in direct contact with them. And
9 still I have yet to see information come back the other
10 way.

11 Q. Just so the record is clear, when you say
12 you're working with them on a daily basis, when
13 you're in the Organized Crime Unit on other cases,
14 correct?

15 A. Yeah, and I am also assigned to the JTTF, the
16 Joint Terrorism Task force here in West Palm Beach.

17 Q. My understanding from reading your reports
18 is that you also subpoenaed phone records of
19 numerous individuals, correct?

20 A. Correct.

21 Q. One of those individuals is Jeffrey
22 Epstein?

23 A. I believe so.

24 Q. Sarah Kellen?

25 A. Yes.

1 Q. Haley Robson?

2 A. Yes.

3 Q. Some of the other victims?

4 MR. PIKE: Form.

5 THE WITNESS: (Witness nods head.)

6 THE COURT REPORTER: Is that a yes?

7 THE WITNESS: Yes. I'm sorry.

8 BY MR. EDWARDS:

9 Q. If you were shown those -- well, did you
10 issue the subpoena --

11 A. Yes.

12 Q. -- personally?

13 A. Yes, I did. I requested it.

14 MR. PIKE: Form.

15 BY MR. EDWARDS:

16 Q. And did you receive it directly from the
17 carrier?

18 A. Yes.

19 MR. PIKE: Form.

20 BY MR. EDWARDS:

21 Q. And when you received it, were you the
22 person to review that material?

23 MR. PIKE: Form.

24 THE WITNESS: Yes.

25

1 BY MR. EDWARDS:

2 Q. And as part of your investigation, did you
3 look at that material and match it up to the
4 interviews that the young females had given and the
5 accounts they had given you?

6 MR. PIKE: Form.

7 THE WITNESS: Some of the carriers don't
8 keep information longer than so long. So,
9 based on the information that I was able to
10 acquire, I attempted to match up the
11 information.

12 BY MR. EDWARDS:

13 Q. And with certain telephone records, were
14 you able to corroborate portions of the victims or
15 witness's testimony?

16 MR. PIKE: Form.

17 BY MR. EDWARDS:

18 Q. -- or interview statements that they
19 provided you?

20 MR. PIKE: Same objection.

21 MR. EDWARDS: Okay. I will withdraw the
22 question. Poor question.

23 BY MR. EDWARDS:

24 Q. Were you able to determine whether or not
25 Jeffrey Epstein and/or one of the people employed by

1 him contacted any of these underage females?

2 A. Yes.

3 MR. PIKE: Form.

4 BY MR. EDWARDS:

5 Q. And when you say that you were able to
6 make that determination, was the determination that
7 Jeffrey Epstein or one of his assistants had
8 contacted on the telephone these underage females?

9 A. Correct.

10 Q. And where would I be able to find that
11 information to say which underage females were
12 contacted by Jeffrey Epstein and/or his employees?

13 MR. PIKE: Form.

14 THE WITNESS: I believe on one of these
15 exhibits was the Sarah Kellen phone log,
16 Exhibit 26.

17 BY MR. EDWARDS:

18 Q. Okay. And as has been pointed out before,
19 many of those names have been redacted. Am I
20 correct in understanding there was an unredacted
21 version that if we're able to get pursuant to court
22 order or agreement, it's something that could be
23 provided by your office?

24 A. Not by my office. Again everything was turned
25 over to the FBI.

1 Q. Okay. So, all of the documents that you
2 have kept in your possession -- strike that. I
3 thought that in the documents that we received this
4 week pursuant to the public records request, the
5 telephone incoming-outgoing calls from Sarah Kellen
6 was within those documents. Is that not your
7 understanding?

8 MR. PIKE: Form.

9 THE WITNESS: There may have been e-mail
10 to Nickie Altomaro to put into the incident
11 report.

12 MR. EDWARDS: Okay.

13 THE WITNESS: And like I said, that was a
14 document created by me as I was subpoenaed,
15 subpoenaing different phone numbers to identify
16 who these persons were. So that was just a
17 little log that I created.

18 BY MR. EDWARDS:

19 Q. Let me do it this way then because it
20 sounds like you haven't looked through this
21 voluminous materials that was produced this week
22 pursuant to a public records request to the Palm
23 Beach Police Department, correct?

24 MR. PIKE: Form.

25 THE WITNESS: I don't know.

1 MS. O'CONNOR: Correct. Why don't we do
2 it this way: Tell me or I'll look through them
3 and if there are things I know we have that are
4 unredacted, I will tell you whether or not we
5 have them, and then we can fight about whether
6 we can unredact them.

7 MR. EDWARDS: Sounds good. I just didn't
8 want to get into a fight if it doesn't exist.

9 MS. O'CONNOR: Right.

10 BY MR. EDWARDS:

11 Q. Evidence that you collected that is not in
12 this property receipt such as the taped, the wired
13 vehicle where Haley Robson was in the back seat
14 talking, is that information that was also forwarded
15 to the FBI too?

16 MR. PIKE: Form, asked and answered.

17 THE WITNESS: Yes.

18 MR. PIKE: Can you give me a minute?

19 MR. EDWARDS: Sure.

20 (A brief recess was held.)

21 BY MR. EDWARDS:

22 Q. The originals of the property were handed
23 over to the FBI. But where it indicates that this
24 material was copied, were all the copies also handed
25 over to the FBI?

1 A. Yes, sir.

2 MR. PIKE: Form.

3 BY MR. EDWARDS:

4 Q. Even the copies that were made for
5 P.B.S.O., that was handed over, turned over to the
6 FBI as well?

7 MR. PIKE: Form.

8 THE WITNESS: For P.B.S.O., I don't know
9 what copies were made for P.B.S.O.

10 BY MR. EDWARDS:

11 Q. Where it would indicate hard drive copied
12 from Number 55 to P.B.S.O., isn't that indicating
13 that the hard drive is being copied for the Palm
14 Beach Sheriff's Office?

15 A. The hard drive was taken over by now Sergeant
16 Krouel. That was to be analyzed. If you see further
17 down CPU was actually returned.

18 Q. All right. You obviously looked at all
19 the evidence that was taken from the house; is that
20 correct?

21 MR. PIKE: Form.

22 THE WITNESS: Yes, sir.

23 BY MR. EDWARDS:

24 Q. And do you remember how many surveillance
25 videos were made by your office in relation to this

1 investigation?

2 A. There were several.

3 Q. And on those surveillance videos were you
4 able to identify underage minor females going to
5 Jeffrey Epstein's home?

6 MR. PIKE: Object to the form.

7 THE WITNESS: We were able to identify not
8 through the video surveillance but through
9 physical surveillance the actual person
10 standing out there watching the car pull in,
11 jotting down the tag number, that kind of
12 thing. The video surveillance was a, was a
13 vehicle that we had parked and ran a video
14 camera from it just to show the traffic in and
15 out.

16 BY MR. EDWARDS:

17 Q. Okay. And did that video camera capture
18 the traffic that was going in and out of Jeffrey
19 Epstein's house; is that what you are telling me?

20 MR. PIKE: Form.

21 THE WITNESS: Yes, that's what it was
22 intended for. However, for identification
23 purposes it's difficult because of the lighting
24 situation.

25

1 BY MR. EDWARDS:

2 Q. Where was that car positioned?

3 MR. PIKE: Form.

4 THE WITNESS: Further up the block from
5 the house, towards by the Intracoastal. This
6 was parked up the block.

7 BY MR. EDWARDS:

8 Q. Did you do any of the personal
9 surveillance writing down tags and whatnot?

10 A. No, that would have been, that would have been
11 the Burglary Strike Force.

12 Q. Did you ever speak with Ghislaine Maxwell?

13 A. No.

14 Q. Did you ever attempt to speak with her?

15 A. No.

16 Q. Did her name come up during your
17 investigation?

18 MR. PIKE: Form.

19 THE WITNESS: I researched her based on
20 the media that I had found during her
21 association with Mr. Epstein.

22 MR. PIKE: Move to strike. Go ahead.

23 BY MR. EDWARDS:

24 Q. During your investigation did --

25 MR. KUVIN: What was your response?

1 THE WITNESS: I researched her based on
2 her association.

3 BY MR. EDWARDS:

4 Q. After researching her, did you ever
5 attempt to make any contact with her?

6 A. No.

7 Q. Did other witnesses call into you or your
8 department with information related to Jeffrey
9 Epstein during your investigation?

10 MR. PIKE: Form.

11 THE WITNESS: I don't follow the question
12 on it.

13 BY MR. EDWARDS:

14 Q. Okay. Bad question. During your
15 investigation, did you receive any calls from local
16 citizens saying we have information that could be
17 helpful to this investigation?

18 MR. PIKE: Form.

19 THE WITNESS: Not during the
20 investigation, no.

21 BY MR. EDWARDS:

22 Q. Okay. Who is -- sorry. Do you remember
23 speaking with somebody named Suzannah B. Troy from
24 New York City?

25 A. Yes.

1 Q. And how did you, what was the occasion to
2 speak with her?

3 A. That was after the arrest of Mr. Epstein. She
4 phoned in to tell me that she had had dealings with him
5 in the past. She said that she had a relationship with
6 him.

7 Q. Do you remember what she did for a living?

8 MR. PIKE: Wait one second. Move to
9 strike, nonresponsive. And your question is
10 finished or no?

11 BY MR. EDWARDS:

12 Q. Do you remember what Ms. Troy did for a
13 living?

14 MR. PIKE: Form.

15 THE WITNESS: She was an artist.

16 BY MR. EDWARDS:

17 Q. And when she described the relationship as
18 you just phrased it with Jeffrey Epstein, did she
19 indicate that it included massages?

20 MR. PIKE: Form.

21 BY MR. EDWARDS:

22 Q. If you remember.

23 MR. PIKE: Same objection.

24 THE WITNESS: That's on a separate case.

25 That's on 061078, correct.

1 MR. EDWARDS: Correct.

2 THE WITNESS: I remember she said he kept
3 some of her art. He inspired her to create
4 another piece of art. I am trying to think. I
5 remember her telling me that they had some
6 relationship because he got friskier and
7 friskier.

8 MR. PIKE: Move to strike that as
9 nonresponsive.

10 BY MR. EDWARDS:

11 Q. When you say that is a separate case,
12 061078, what do you mean by a separate case?

13 A. The initial incident report is 05368. That
14 one was generated after the arrest when other people
15 were calling in.

16 Q. Was it because of a different
17 investigation related to Jeffrey Epstein or an
18 additional investigation?

19 MR. PIKE: Form.

20 THE WITNESS: Yes, it would have been
21 people outside of 05368.

22 BY MR. EDWARDS:

23 Q. Okay. Outside of the telephone call that
24 is memorialized in the narrative, did you have
25 occasion to speak with Ms. Troy on any other

1 occasions?

2 MR. PIKE: Form.

3 THE WITNESS: I don't believe so.

4 BY MR. EDWARDS:

5 Q. You also remember getting a call from --

6 A. A girl from California.

7 Q. Correct.

8 A. Popa (phonetic).

9 Q. Popa, right. Do you remember what she
10 told you?

11 MR. PIKE: Form.

12 THE WITNESS: I believe that she also had
13 a relationship with Mr. Epstein but I am trying
14 to remember.

15 BY MR. EDWARDS:

16 Q. Okay. It's obviously been since 2006 when
17 you wrote the report. Have you looked over this
18 report at all?

19 A. No, I didn't look over that report at all.

20 Q. Do you remember her indicating that
21 Jeffrey Epstein was trying to go further and further
22 with a massage and her asking what, what are you
23 doing, to which he replied don't you want to get
24 into Victoria Secret?

25 MR. PIKE: Form.

1 THE WITNESS: I do recall that.

2 MR. PIKE: Hold on one second. Form and
3 leading. Move to strike.

4 BY MR. EDWARDS:

5 Q. Does that refresh your recollection?

6 A. Yes, I do recall that. I believe she was an
7 aspiring -- and she wanted to become a model.

8 Q. Okay. And we have spoken earlier about
9 Leslie Wexner being the CEO of Victoria Secret,
10 correct?

11 A. Correct.

12 Q. Did you ever attempt to talk to Leslie
13 Wexner?

14 A. No.

15 Q. Even after this particular comment was
16 made and the association or affiliation that was
17 previously determined between Epstein and Wexner,
18 was there any follow-up related to that connection?

19 A. No.

20 MR. PIKE: Form.

21 THE WITNESS: No.

22 BY MR. EDWARDS:

23 Q. Did you ever try to speak with Geraldo
24 Rivera?

25 A. No.

1 Q. Have you ever spoken with Michael Friedman
2 or Rosalie Friedman, former house managers or
3 housekeepers of Jeffrey Epstein?

4 MR. PIKE: Form.

5 THE WITNESS: No, no. I spoke with the
6 Alessi's and Rodriguez.

7 BY MR. EDWARDS:

8 Q. And also I saw the names mentioned Patrick
9 and Evelyn as being formerly employed as house
10 managers. Are those people that you have tried to
11 track down?

12 MR. PIKE: Form.

13 THE WITNESS: I believe I attempted but I
14 couldn't locate where they were.

15 BY MR. EDWARDS:

16 Q. Were you ever able to get a last name of
17 Patrick and Evelyn?

18 A. I don't recall. I can't recall.

19 Q. Okay. Is that something that you would
20 have in your possession to refresh your recollection
21 or is that something that --

22 A. No. I think it might have been during the
23 interviews of the previous housemen but --

24 Q. Okay. Any those interviews of the
25 previous housekeepers or house managers, that's all

1 something that has been forward to the FBI and you
2 don't have a copy of it?

3 A. Correct.

4 Q. Back in 2003 investigating the robbery, I
5 guess it was ultimately determined that Juan Alessi
6 was the person that committed the robbery?

7 A. The burglary, yeah.

8 Q. The burglary. And also in the house was
9 Nadia Marcincova and Teale Davies. Did you speak
10 with those people?

11 A. No.

12 Q. That's just, you take down their name,
13 date of birth, just responding to the call?

14 A. I don't believe I did a supplement on that
15 case. That might have been some other detective. I
16 believe Melnichok was the investigating detective on
17 that.

18 Q. Okay.

19 A. Like I said, my part was very small and I just
20 put the camera up.

21 Q. So, most of the detailed questions about
22 that particular burglary, if it's at all relevant to
23 this case, would have to go through whoever was the
24 detective on that case?

25 A. (Witness nods head.)

1 THE COURT REPORTER: Is that a yes?

2 THE WITNESS: Yes.

3 BY MR. EDWARDS:

4 Q. Did you testify before the grand jury --

5 MR. PIKE: Form.

6 THE WITNESS: Yes, I did.

7 BY MR. EDWARDS:

8 Q. -- related to Jeffrey Epstein at the State
9 Attorney's Office level?

10 A. Yes.

11 MR. PIKE: Form.

12 BY MR. EDWARDS:

13 Q. Was there a grand jury proceeding at the
14 federal level that you're aware of?

15 MR. PIKE: Form.

16 THE WITNESS: I have no idea.

17 BY MR. EDWARDS:

18 Q. Do you know what was presented to the
19 grand jury relative to the Jeffrey Epstein
20 investigation?

21 MR. PIKE: Form.

22 THE WITNESS: The state grand jury?

23 MR. EDWARDS: Correct.

24 THE WITNESS: I don't know aside from my
25 portion of my statement that I provided. I

1 stuck around just to assist the victims.

2 BY MR. EDWARDS:

3 Q. And when you talk about the statement that
4 you provided, did you present testimony related to
5 all of the minor females that you discovered to have
6 come in contact with Jeffrey Epstein or only the
7 four or five names that ultimately were at the end
8 of your probable cause affidavit?

9 MR. PIKE: Form and compound.

10 THE WITNESS: As far as my testimony at
11 the grand jury, I only answered the questions
12 that were asked of me by the state. At that
13 point it was Lanna Belohlavek.

14 I'm sorry about the last name. I don't
15 know how to spell her last name.

16 BY MR. EDWARDS:

17 Q. And in talking with the State Attorney's
18 Office during the investigation, did you indicate to
19 them the number of underage females that you were
20 aware had come in contact sexually with Mr. Epstein?

21 MR. PIKE: Form and assumes facts not in
22 evidence.

23 THE WITNESS: Yes, they were aware of the
24 probable cause affidavit which indicated all
25 the facts.

1 BY MR. EDWARDS:

2 Q. And can you recall what their position was
3 on the various acts that are related in the probable
4 cause affidavit? And ultimately I am asking why is
5 it that they were not interested in hearing from all
6 of the girls and only a select few?

7 MR. PIKE: Form and compound.

8 THE WITNESS: That's a question that
9 you're going to have to ask Lanna Belohlavek
10 because she was aware of all the people that I
11 submitted to her, and yet she choose three
12 people to appear before the grand jury, one
13 knowing that she was not going to be able to
14 appear.

15 MR. PIKE: Move to strike.

16 BY MR. EDWARDS:

17 Q. And who was the person that was not going
18 to be able to appear?

19 A. That would have been Jane Doe No. 103.

20 Q. Do you know why she was unable to appear?

21 A. Because it was finals week in her university
22 and the limited time that they had scheduled the grand
23 jury and the time that it would have been for her to
24 make arrangements to come down was very short.

25 Q. Was there a disagreement about this case

1 between the Palm Beach Police Department and the
2 State Attorney's Office?

3 A. Yes, there was.

4 Q. And --

5 A. This case was originally brought to their
6 attention very early on in the investigation to which
7 they were, you know, very gung-ho, very let's go, let's
8 do this, up until, up until, up until the meeting with
9 Alan Dershowitz and the State Attorney. And then it, it
10 all took a turn.

11 Q. Were you at that meeting?

12 A. I attended one meeting where I believe it
13 Dershowitz, Krischer, and Belohlavek.

14 MR. PIKE: Object to form.

15 BY MR. EDWARDS:

16 Q. What was said during that meeting?

17 MR. PIKE: All right. With regard to this
18 line of questioning, I just want to be clear
19 that I have form objections to this line of
20 questioning. And the fact that under various
21 Federal Rules, I believe it's 408, 410 as well
22 as various rules under Florida Evidence Code,
23 some of these discussions are protected as
24 potential plea negotiations. So, having said
25 that...

1 BY MR. EDWARDS:

2 Q. What was said during these, this meeting
3 that you attended?

4 A. Several of the girls' MySpaces were discussed.
5 MySpace being the social network. They all had
6 MySpaces. And the girls, the girls were actually who
7 had the MySpaces had inputted, you know, various
8 different things regarding alcohol use or marijuana use
9 or that kind of thing.

10 Q. And what was brought up at that meeting as
11 to the relevance of whether or not these females
12 that had been to Jeffrey Epstein's house while
13 underage used alcohol or drugs? What was the point
14 of that?

15 MR. PIKE: Form.

16 THE WITNESS: To show that the character
17 of the girls were not, was not to be believed.

18 BY MR. EDWARDS:

19 Q. Okay. It was specifically to attack their
20 credibility?

21 MR. PIKE: Form, move to strike.

22 THE WITNESS: Correct.

23 BY MR. EDWARDS:

24 Q. So, at that point in time who was making
25 those arguments on behalf of Jeffrey Epstein?

1 MR. PIKE: Form.

2 THE WITNESS: It was Alan Dershowitz.

3 BY MR. EDWARDS:

4 Q. And was the argument that you can't
5 believe these girls about what they're saying
6 transpired at Jeffrey Epstein's house because of
7 what we're viewing, material they chose to put on
8 their MySpace pages?

9 MR. PIKE: Form and leading and compound.

10 And is there a question?

11 BY MR. EDWARDS:

12 Q. You understood, you understood that ended
13 with a question mark, right?

14 A. Yes.

15 MR. PIKE: I just want to make sure of
16 that. Can you reread the question for me,
17 please.

18 (The requested portion of the record was
19 read by the reporter.)

20 MR. PIKE: Same objection.

21 THE WITNESS: That's correct.

22 BY MR. EDWARDS:

23 Q. And I ask because I want, I want to make
24 sure that -- well, I want to understand it was that,
25 hey, these girls have done a lot of bad things;

1 therefore, they are not sympathetic enough to
2 prosecute the person that committed crimes against
3 them; or these girls have said a lot of things on
4 their MySpace page, therefore, they can't even be
5 believed about what transpired at his house.

6 Do you understand the difference?

7 MR. PIKE: Form.

8 THE WITNESS: Well --

9 MR. PIKE: Wait a second, Detective.

10 Form, compound, and speculative and hearsay.

11 THE WITNESS: It was more to the effect
12 of, you know, these girls are not saints; look
13 at the stuff that they are posting out there
14 for everyone to see, et cetera, et cetera.
15 That kind of thing.

16 BY MR. EDWARDS:

17 Q. Okay. But I mean, you have been a
18 detective for how many years?

19 A. Fifteen.

20 Q. And you investigate an attempted murder,
21 still prosecute the attempted murder even if he is
22 trying to shoot a gang member, right?

23 MR. PIKE: Form, relevance.

24 THE WITNESS: Absolutely.

1 BY MR. EDWARDS:

2 Q. Happens all the time, right?

3 A. Yes.

4 MR. PIKE: Same objection.

5 BY MR. EDWARDS:

6 Q. But for whatever reason the State
7 Attorney's office was entertaining this argument?

8 A. Absolutely. At that point they started to
9 back off. And then they are, like, well, you can't --
10 this girl is not a victim; this girl is this, you know,
11 that kind thing.

12 Q. Was there ever a time when the State
13 Attorney's Office bought into an argument that you
14 can't even believe these girls when they testify
15 about what transpired at Jeffrey Epstein's house?

16 MR. PIKE: Form.

17 THE WITNESS: I had that impression, that
18 kind of thing where these girls were not
19 victims.

20 BY MR. EDWARDS:

21 Q. You talked to many girls that didn't even
22 know one another, correct?

23 A. Some didn't go to the same schools, correct.

24 MR. PIKE: Form.

25

1 BY MR. EDWARDS:

2 Q. And in speaking with them, they each
3 described an almost ritualistic process that
4 happened inside Jeffrey Epstein's bedroom with each
5 one of them, correct?

6 MR. PIKE: Form.

7 THE WITNESS: Correct.

8 BY MR. EDWARDS:

9 Q. And that was something that was made clear
10 to the State Attorney's office?

11 A. Correct.

12 MR. PIKE: Form.

13 BY MR. EDWARDS:

14 Q. And at some point in time Chief Reiter
15 wrote a letter to Mr. Krischer in May of 2006
16 indicating that he believes Mr. Krischer should
17 disqualify himself from prosecuting the cases. Are
18 you aware of that?

19 A. Yes, I am.

20 Q. And you have seen that letter before?

21 A. Yes, I've seen it before.

22 Q. And he also indicates in it it is
23 regrettable that I am forced to communicate in this
24 manner, but my most recent telephone calls to you
25 and those of the lead detective to your assigned

1 attorneys have been unanswered and messages remain
2 unreturned. Is that a statement that you agree
3 with?

4 A. Absolutely.

5 Q. How many messages do you think that you
6 left the State Attorney's Office that were
7 unreturned?

8 A. Quite a few. I actually showed up at Lanna's
9 office because I had left her several messages and
10 didn't, didn't return get a return phone call. And it
11 was during the time where: We're going to the grand
12 jury, no, we're not going to grand jury; yes, we're
13 going; no, we're not.

14 And it was, I believe, the following day
15 when we were supposed to go to the grand jury and I
16 still had not heard from her as to what time nor had
17 I received a subpoena. So, I had contacted her
18 numerous times during that day. I would say three
19 to four times during that day. In the afternoon I
20 actually showed up at her office where she was
21 sitting in her office.

22 Q. Did you speak with her?

23 A. Yes, I did.

24 Q. And what happened within that
25 conversation?

1 MR. PIKE: Form.

2 THE WITNESS: There was actually a time
3 where there was a plea negotiation being
4 discussed where it was to one count of felony,
5 five years probation, and I believe no one had
6 been contacted regarding to that negotiations.

7 BY MR. EDWARDS:

8 Q. When you say no one, are you speaking
9 about the police or victims?

10 MR. PIKE: One second. Form. I'm going
11 to move to strike and I am going to continue to
12 assert the same privileges under the Federal
13 Rules 408, 410, and 401.9. I'm sorry. Go
14 ahead.

15 BY MR. EDWARDS:

16 Q. When you say no one had been contacted,
17 are you speaking about no police officers that were
18 on the case or no victims?

19 A. Both the police officers and the victims
20 because I was getting phone calls from the victims'
21 parents as to what time are we needed.

22 Q. And when you say we were getting phone
23 calls from the victims' parents, are those the
24 victims that ultimately were listed as victims in
25 the, in the plea that transpired?

1 A. Correct.

2 MR. PIKE: Form.

3 BY MR. EDWARDS:

4 Q. So, are you talking about [REDACTED], [REDACTED],
5 [REDACTED], and Jane Doe No. 103?

6 MR. PIKE: Form.

7 THE WITNESS: From [REDACTED]'s family I had
8 gotten multiple phone calls during that day.

9 BY MR. EDWARDS:

10 Q. During any of the meetings -- how many
11 meetings are you aware of that Mr. Dershowitz
12 participated in with the State Attorney's Office?

13 A. There were a couple. Like I said, I attended
14 one.

15 MR. PIKE: Form.

16 THE WITNESS: I didn't attend the second
17 one. I want to say two to three.

18 BY MR. EDWARDS:

19 Q. And he is a person who also is found in
20 the message pad as somebody who has called Jeffrey
21 Epstein's home, correct?

22 A. As far as I can recall, yes.

23 Q. And did he ever indicate to them that he
24 was actually at the home on various occasions when
25 some of these underage girls would come over to

1 Mr. Epstein's house?

2 MR. PIKE: Form.

3 THE WITNESS: Not that I recall.

4 BY MR. EDWARDS:

5 Q. In fact, was he trying to convey to the
6 State Attorney's office that you should not believe
7 these girls that they were at his house at all
8 because they have credibility problems?

9 MR. PIKE: Form, asked and answered.

10 THE WITNESS: That's, that was the
11 impression I received, yes.

12 MR. EDWARDS: The next portion is going to
13 take a long time. I mean it's getting into the
14 juice of it. So, are we at a point that you
15 want to stop rather than getting into something
16 that's going to take a long time?

17 MS. O'CONNOR: How long?

18 MR. EDWARDS: Couple of hours.

19 MS. O'CONNOR: I need to stop.

20 MR. KUVIN: Okay.

21 MR. PIKE: All right. So we are going to
22 break. We have an agreement on the record that
23 Detective Recarey, and correct me if I am
24 wrong, Ms. O'Connor will get back to us through
25 you sometime next week with a few available

1 dates sometime in April. And then counsel who
2 are here at this table will endeavor to pick
3 some dates that are most convenient so we can
4 expeditiously complete Detective Recarey's
5 deposition.

6 MR. EDWARDS: Agreed.

7 MS. O'CONNOR: Complete in one day.

8 MR. KUVIN: Yep.

9 MR. PIKE: I hope to do that.

10 MR. EDWARDS: I can get through mine in
11 three hours.

12 MS. O'CONNOR: We're supposed to only be
13 having one day in your order.

14 MR. PIKE: Well, kind of, sort of; kind
15 of, sort of.

16 MR. KUVIN: We're doing state and federal,
17 so it's a mixture. There is no state order.

18 (A discussion was held off the record.)

19 MR. PIKE: I can tell you this, at past
20 depositions that deal with witnesses such as
21 Detective Recarey or any other alleged
22 witnesses, despite whether or not a lawyer
23 represents one, two, or seven alleged
24 Plaintiffs, it is not appropriate to rehash
25 background information pursuant to the court's

1 orders that have already been entered and waste
2 a witness's time.

3 So hopefully we can all abide by that and
4 concentrate on our individual and particular
5 clients at those depositions.

6 MR. EDWARDS: Certainly no one will
7 intentionally do that but I just wanted to say
8 that since I am questioning right now, I think
9 that I am the only one with an eminent
10 discovery deadline. So, I will get through my
11 portion and whatever happens after that --

12 MR. PIKE: You and me.

13 MR. EDWARDS: Right.

14 (A discussion was held off the record.)

15 THE COURT REPORTER: Do you want to order
16 this?

17 MR. KUVIN: No, I don't.

18 MR. PIKE: You know, I do need that, but I
19 need it regular. And I need it for reasons
20 that I don't want to state.

21 THE COURT REPORTER: Does anyone want a
22 copy?

23 MS. ARBOUR: Yes.

24 MS. EZELL: I want a copy too.

25 MR. EDWARDS: I just want a copy. I don't

1 need a mini or any of that.

2 MS. ARBOUR: I don't need a full copy.
3 Just a mini. I don't need any of that other
4 stuff.

5 MS. O'CONNOR: We're going to read.

6 (Witness excused.)

7 (Deposition was concluded.)

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CERTIFICATE OF OATH

THE STATE OF FLORIDA

COUNTY OF PALM BEACH

I, the undersigned authority, certify that
 DETECTIVE JOSEPH RECAREY personally appeared
 before me and was duly sworn on the 19th day of
 March, 2010.

Dated this 1st day of April, 2010.

Cynthia Hopkins, RPR, FPR
 Notary Public - State of Florida
 My Commission Expires: February 2, 2011
 My Commission No.: DD 643788



Job #1509

C E R T I F I C A T E

THE STATE OF FLORIDA

COUNTY OF PALM BEACH

I, Cynthia Hopkins, Registered Professional Reporter, Florida Professional Reporter, and Notary Public in and for the State of Florida at large, do hereby certify that I was authorized to and did report said deposition in stenotype; and that the foregoing pages are a true and correct transcription of my shorthand notes of said deposition.

I further certify that said deposition was taken at the time and place hereinabove set forth and that the taking of said deposition was commenced and completed as hereinabove set out.

I further certify that I am not attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel of party connected with the action, nor am I financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of the certifying reporter.

Dated this 1st day of April, 2010.



Cynthia Hopkins, RPR, FPR

Job #1509

1 DATE: April 1, 2010

2 TO: DETECTIVE JOSEPH RE CAREY Job #1509
3 JOANNE M. O'CONNOR, ESQUIRE
4 JONES, FOSTER, JOHNSON & STUBBS, P.A.
505 South Flagler Drive, Suite 1100
West Palm Beach, Florida 33401

5 IN RE: Jane Doe No. 2, Jane Doe No. 103, and B.B.

6 Please take notice that on Friday, the 19th of
7 April, 2010, you gave your deposition in the
8 above-referred matter. At that time, you did not
waive signature. It is now necessary that you sign
your deposition.

9 As a professional courtesy, we are sending you
a condensed copy of your deposition transcript via
e-mail at jrecarey@palmbeachpolice.com.

10 At the end of the transcript you will find an
11 errata sheet. As you read your deposition, any
12 changes or corrections that you wish to make should
13 be noted on the errata sheet, citing page and line
14 number of said change. DO NOT write on the
15 transcript itself. Once you have read the
16 transcript and noted any changes, be sure to sign
17 and date the errata sheet and return these pages to
me. You need not return the entire transcript. If
you do not read and sign the deposition within a
reasonable time, the original, which has already
been forwarded to the ordering attorney, may be
filed with the Clerk of the Court. If you wish to
waive your signature, sign your name in the blank at
the bottom of this letter and return it to us.

18 Very truly yours

19 Cynthia J. Hopkins

20 Cynthia Hopkins, RPR, FPR

21 I do hereby waive my signature.

22 _____
23 DETECTIVE JOSEPH RE CAREY

24 I do hereby waive my signature:

25 Cc: Via transcript: Bradley J. Edwards, Esquire
Katherine W. Ezell, Esquire, Michael Pike, Esquire,

C E R T I F I C A T E

- - -

THE STATE OF FLORIDA

COUNTY OF PALM BEACH

I hereby certify that I have read the foregoing deposition by me given, and that the statements contained herein are true and correct to the best of my knowledge and belief, with the exception of any corrections or notations made on the errata sheet, if one was executed.

Dated this ____ day of _____,
2010.

DETECTIVE JOSEPH RECAREY

Job #1509

E R R A T A S H E E T

IN RE: Jane Doe No. 2, Jane Doe
No. 103 and B.B.
CR: Cynthia Hopkins, RPR, FPR
DEPOSITION OF: DETECTIVE JOSEPH RECAREY
TAKEN: March 19, 2010
JOB NO.: 1509

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[illegible]

Please forward the original signed errata sheet to this office so that copies may be distributed to all parties.

Under penalty of perjury, I declare that I have read my deposition and that it is true and correct subject to any changes in form or substance entered here.

DATE: _____

SIGNATURE OF DEPONENT: